(b) In the hatchers:

(1) Remove trays and all controls and fans for separate cleaning. The ceiling, walls and floors should be thoroughly wetted with a stream of water, then scrubbed with a hard bristle brush. Rinse until there is no longer any deposit on the walls, particularly near the fan opening.

(2) Replace the cleaned fans and controls. Replace the trays, preferably still wet from cleaning, and bring the incubator to normal operating temperature.

(3) The hatcher should be fumigated as described in § 147.35(e) prior to the transfer of the eggs.

(c) If the same machine is used for incubating and hatching, the entire machine should be cleaned after each hatch. A vacuum cleaner should be used to remove chick down from the egg trays, then the entire machine should be vacuumed, mopped and fumigated according to the procedures described in § 147.35(b) (3), (4) and (5).

§ 147.35 Fumigation.

Fumigation of eggs and incubators is an essential part of a hatchery sanitation program. Single or repeated fumigation of eggs in the setter may be practiced but the fumigation schedule should be such that no eggs are fumigated during the period from the 24th to the 84th hour of incubation.

(a) Preincubation fumigation of eggs should be done as follows:

(1) Provide a room or cabinet proportionate to the number of eggs to be handled. The room should be relatively tight and equipped with a fan to circulate the gas during fumigation and to expel it after fumigation.

(2) The eggs should be placed in the room on wire racks, which will permit air circulation, and exposed to circulating formaldehyde gas.

(3) Formaldehyde gas is provided by mixing 0.6 grams of potassium permanganate with 1.2 cc of formalin (37.5%) for each cubic foot of space in the room. The ingredients should be mixed in an eathenware or enamelware container having a capacity at least ten times the volume of the total ingredients.

(4) Circulate the gas within the room for 20 minutes, then expel.

(5) Humidity for this type of fumigation is not critical but the temperature should be around 70° F. Extra humidity may be provided in dry weather.

(b) Eggs which have not been fumigated prior to setting should be fumigated as soon as possible (preferably within 12 hours) after setting, using the following procedure:

(1) Determine the size of the incubator by multiplying the length times the width times the height.

(2) After setting the eggs and allowing temperature and humidity to regain normal operating levels, release formaldehyde gas into the incubator.

(3) For each cubic foot of space in the incubator use 0.4 grams of potassium permanganate and 0.8 cc of formalin (37.5%). Use an earthenware or enamelware container having a capacity of at least ten times the volume of the total ingredients.

(4) Close vents and doors but keep circulating fan operating and continue fumigation for 20 minutes with normal operating temperature and humidity.

(5) After 20 minutes of fumigation, the vents should be opened to the normal operating positions to release the gas.

(c) Eggs which have not been preincubation fumigated as described in paragraph (a) of this section or fumigated as soon as possible (preferably within 12 hours) after setting as described in paragraph (b) of this section should be fumigated after the 84th hour of incubation. The procedure described in paragraph (b) of this section should be followed.

(d) All eggs should be refumigated after transfer to a separate hatcher, preferably as soon as the temperature and humidity regain normal operating levels. The procedure described in paragraph (b) of this section should be followed.

(e) Empty hatchers should be fumigated between each hatch. After the interior of the hatcher has been thoroughly cleaned and the cleaned trays returned, the following procedure should be followed:

(1) After temperature and humidity are brought to normal operating levels, use 0.6 grams of potassium permanganate and 1.2 cc of formalin (37.5%) per cubic foot of space in the hatcher.

(2) Close the doors and vents and leave closed at least 3 hours and preferably overnight.

The amendments are based on recommendations of the 1960 National Poultry and Turkey Improvement Plans Conference of representatives of the State agencies cooperating in the administration of the Plans. All affected poultrymen were represented at the Conference. Notice of rule making with respect to the amendments was published in the FEDERAL REGISTER on August 10, 1960. Copies of the proposed amendments were sent to representatives of each of the cooperating State agencies. The foregoing amendments are the same in substance as the recommendations of the Conference and are the same in substance as the proposed amendments set forth in the notice of rule making published in the FEDERAL REGISTER except that the word "consecutive" has been deleted in § 145.16. This change results in a less restrictive requirement than that set forth in the notice. All affected poultrymen should be aware of the changes in their operations that will be required by the amendments. The Conference recommended that the amendments be made effective as soon as possible. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. The foregoing amendments shall become effective upon publication in the FEDERAL REGISTER.

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

(Sec. 101, 58 Stat. 734, as amended; 7 U.S.C. 429)

Done at Washington, D.C., this 19th day of October, 1960.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 60-9996; Filed, Oct. 24, 1960; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 60-NY-64]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Modification of Federal Airway and Associated Control Areas

On August 4, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 7334) stating that the Federal Aviation Agency proposed to extend VOR Federal airway No. 427 and its associated control areas from Kent, Ohio, to Berea, Ohio.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, the following actions are taken:

1. Section 600.6427 (25 F.R. 3756) is amended to read:

§ 600.6427 VOR Federal airway No. 427 (Newcomerstown, Ohio, to Berea, Ohio).

From the Newcomerstown, Ohio, VOR via the Navarre, Ohio, VORTAC; INT of the Navarre VORTAC 352° True and the Akron, Ohio, VOR 298° True radials to the INT of the Akron VOR 298° True and the Cleveland, Ohio, VORTAC 091° True radials.

§ 601.6427 [Amendment]

2. In the caption of § 601.6427 (25 F.R. 3756) "*(Newcomerstown, Ohio, to Kent, Ohio)*" is deleted and "*(Newcomerstown, Ohio, to Berea, Ohio)*" is substituted therefor.

These amendments shall become effective 0001 e.s.t. January 12, 1961.

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

Issued in Washington, D.C., on October 18, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-9981; Filed, Oct. 24, 1960; 8:46 a.m.]

[Airspace Docket No. 60-WA-147]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Modification of Control Zone

On June 10, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 5188) stating that the Federal Aviation Agency proposed the modification of the Amarillo, Tex., control zone.

As stated in the notice, the Amarillo control zone is presently designated within a 5-mile radius of the Amarillo Air Force Base/Municipal Airport; within 2 miles either side of the west course of the Amarillo radio range extending from the radio range station to a point 5 miles west, and within 2 miles either side of the east course of the radio range extending from the range station to a point 18 miles east. The instrument approach procedures based on the radio range have been revised. In order to provide adequate protection for aircraft executing the revised radio range procedure, as well as the ADF and VOR approach procedures to Amarillo AFB/Municipal Airport, the control zone would be modified as follows: revoke the existing control zone extensions; designate an extension within 2 miles either side of a line bearing 046° True from the Tradewind radio beacon extending from the 5-mile radius zone to the Tradewind radio beacon, and designate an extension 2 miles either side of the north course of the radio range extending from the radio range to a point twelve miles north.

Although not mentioned in the notice, the 5-mile radius zone designated on the geographical center of the Amarillo AFB/Municipal Airport will leave the Amarillo VOR approximately 1 mile outside the control zone. To provide the required protection for the VOR and VORTAC approach procedures, it will be necessary to further modify the zone by designating an extension 2 miles either side of the 221° True radial extending from the 5-mile radius zone to the VORTAC. This is a minor modification designating a relatively insignificant but necessary area of airspace.

This action will result in the Amarillo control zone being designated within a 5-mile radius of the Amarillo AFB/Municipal Airport (latitude 35°13'11" N., longitude 101°42'12" W.), within 2 miles either side of a line bearing 046° True from the Tradewind radio beacon extending from the 5-mile zone to the beacon, within 2 miles either side of the north course of the Amarillo radio range extending from the radio range to a point 12 miles north, and within 2 miles either side of the 221° True radial of the Amarillo VOR extending from the 5-mile radius zone to the VORTAC.

The Air Transport Association of America concurred in the control zone extensions proposed, but recommended the additional extension to the Amarillo VOR. That action is taken herein. The President of the Tradewind Airport Corporation submitted the following observations, both his own and those solicited from representative business aircraft operators, concerning the proposal: Tradewind Airport, a private airport serving general aviation in the vicinity of Amarillo, would be included in this control zone; 104 corporate and privately owned aircraft are based at Tradewind which contribute to the considerable air traffic activity generated at this airport; it would be impossible for pilots to continue to use this busy airport if it is in or closely adjacent to the control zone without incurring repeated violations of air traffic rules if the airport itself is not controlled; the users and management of Tradewind Airport have worked closely and successfully with the FAA in developing procedures to accommodate activity at that airport; some 40 percent of the aircraft using Tradewind do not have the required two-way radio to comply with control zone requirements when operating in less than Visual Flight Rule weather minimums. In conclusion, it was recommended that the FAA plan the establishment of a VFR control tower at Tradewind Airport and that the control zone then be modified to adequately contain both the Tradewind and the Amarillo AFB/Municipal Airports.

The Federal Aviation Agency recognizes that the Amarillo control zone extention to the south will have a curtailing effect on air traffic operations at the Tradewind Airport during periods of weather conditions below basic VFR minimums. However, the modified control zone as herein designated encompasses the minimum amount of airspace required to fully protect the published instrument approach procedures into Amarillo AFB/Municipal Airport. In view of the amount of traffic utilizing the Tradewind Airport, the FAA feels it would be preferable to fully include it in an enlarged control zone and provide air traffic control service. Existing communication facilities are not now adequate to provide this service. The FAA presently plans providing this communications requirement, and the following installation of the facilities, a further modification to the Amarillo control zone to include Tradewind Airport will be proposed. The FAA regrets that such modification and accompanying service cannot be immediately implemented. In any event, it shall be incumbent on the pilots of aircraft operating into and out of the Tradewind Airport to comply with appropriate Civil Air Regulations.

The Department of the Air Force interposed no objection to this proposal. No other comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated herein and in the notice, § 601.2024 (14 CFR 601.2024) is amended to read:

§ 601.2024 Amarillo, Tex., control zone.

Within a 5-mile radius of the Amarillo AFB/Municipal Airport (latitude 35°13'11" N., longitude 101°42'42" W.), within 2 miles either side of a line bearing 046° True from the Tradewind RBN extending from the 5-mile radius zone to the Tradewind RBN, within 2 miles either side of the Amarillo RR N course extending from the RR to a point 12 miles N, and within 2 miles either side of the 221° True radial of the Amarillo VORTAC extending from the 5-mile radius zone to the VORTAC.

This amendment shall become effective 0001 e.s.t., December 15, 1960.

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

Issued in Washington, D.C., on October 18, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-9980; Filed, Oct. 24, 1960; 8:46 a.m.]

[Airspace Docket No. 60-LA-73]

PART 608—RESTRICTED AREAS

Modification

The purpose of these amendments to § 608.14 of the regulations of the Administrator is to change the controlling agency of the Point Mugu, Calif., Restricted Area (R-100) (Los Angeles Chart) and the Point Mugu, Calif., area No. 2 Restricted Area (R-551) (Los Angeles Chart).

The Department of the Navy has agreed to changing the controlling agency for R-100 and R-551 to the Federal Aviation Agency, Los Angeles ARTC Center, in order to provide for the maximum utilization of the airspace within these areas.

Since these amendments impose no additional burden on the public, compliance with the notice, public procedure, and effective date requirements of Section 4 of the Administrative Procedure Act is unnecessary and they may be made effective immediately.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 8005), the following actions are taken in § 608.14 *California:*

1. The Point Mugu, Calif., Restricted Area (R-100) (Los Angeles Chart) (23 F.R. 8577, 24 F.R. 524) is amended by deleting "Pacific Missile Range, Point Mugu, California." and substituting therefor "Federal Aviation Agency, Los Angeles ARTC Center."

2. The Point Mugu, California area No. 2 Restricted Area (R–551) (Los Angeles Chart) (23 F.R. 9773, 24 F.R. 7637) is amended by deleting "Commander, Pacific Missile Range, Point Mugu, California (COMPACMISRAN)". and substituting therefor "Federal Aviation Agency, Los Angeles ARTC Center."

These amendments shall become effective upon the date of publication in the FEDERAL REGISTER.

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

Issued in Washington, D.C., on October 18, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60–9982; Filed, Oct. 24, 1960; 8:46 a.m.]

[Airspace Docket No. 60–NY–23]

PART 608—RESTRICTED AREAS

Modification

The purpose of this amendment to § 608.29 of the regulations of the Administrator is to modify the designated altitudes and controlling agency of the North Eastham, Mass., Restricted Area (R–17) (Boston Chart).

Restricted Area (R–17) is presently used by the Department of the Navy for anti-submarine evaluation exercises and tactical training from the surface to 20,000 feet MSL, and is controlled by COMFAIR, Quonset Point, R.I. The Department of the Navy has concurred in changing the designated altitudes to "Surface to 3,000 feet MSL", and changing the controlling agency to "Federal Aviation Agency, Otis RAPCON". The Federal Aviation Agency is therefore, reducing the upper altitude limit of R–17 from 20,000 feet MSL to 3,000 feet MSL and changing the controlling agency to FAA, Otis RAPCON.

Since the changes effected by this amendment are less restrictive in nature than the present requirements, and impose no additional burden on any person, notice and public procedure thereon are unnecessary, and they may be made effective on less than 30 days' notice.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 8005), the following action is taken:

In § 608.29 *Massachusetts*, the North Eastham, Mass., Restricted Area (R–17) (Boston Chart) (23 F.R. 8582) is amended by deleting "*Designated altitudes.* Surface to 20,000 feet MSL." and "*Controlling agency.* COMFAIR Quonset." and substituting therefor "*Designated altitudes.* Surface to 3,000 feet MSL." and "*Controlling agency.* Federal Aviation Agency, Otis RAPCON." respectively.

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

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

Issued in Washington, D.C., on October 18, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60–9983; Filed, Oct. 24, 1960; 8:46 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

SUBCHAPTER M—MILITARY AND ARMED SERVICES HOUSING MORTGAGE INSURANCE

PART 292a—ARMED SERVICES HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE

Subpart A—Military Personnel

In Part 292a pertinent section headings in the table of contents are amended to read as follows:

Sec.
292a.23 Private corporation eligible.
292a.24 Certification as to liens and obligations.
292a.25 Corporate stock.

Section 292a.23 is amended to read as follows:

§ 292a.23 Private corporation eligible.

A private corporation (referred to in this subchapter as "mortgagor," "Corporation," or "mortgagor corporation") is eligible for mortgage insurance if formed or created, with the approval of the Commissioner for the purpose of providing housing for rent or sale, and possessing powers necessary therefor and incidental thereto. So long as such contract of insurance is in effect, the corporation shall engage in no business other than the construction and operation of a housing project limited to nontransient occupancy.

Section 292a.24 is amended to read as follows:

§ 292a.24 Certification as to liens and obligations.

Both the mortgagor and the builder who has been determined to be the eligible bidder shall certify at final endorsement of the loan for insurance that:

(a) The property covered by the mortgage is free and clear of all liens other than such mortgage; and

(b) There will not be outstanding any unpaid obligation contracted in connection with the mortgage transaction, the purchase of the mortgaged property, or the construction of the project, except such obligations as may be approved by the Commissioner.

Section 292a.25 is amended to read as follows:

§ 292a.25 Corporate stock.

(a) *Acquisition of capital stock by Commissioner.* Arrangements satisfactory to the Commissioner shall be made under which the capital stock of the mortgagor corporation may be acquired by him, together with the resignations of the officers and directors of the corporation, where he determines such acquisition is necessary for the protection of the FHA as insurer of the mortgage. Upon such acquisition the Commissioner may accept the resignations of the officers and directors of the corporation, appoint such officers and agents as may be satisfactory to him, and exercise all rights as the holder of the capital stock of the corporation.

(b) *Stock acquisition by Military.* Upon completion of the project the Military shall acquire all the capital stock of the mortgagor corporation and shall hold the same and manage and operate the project property so long as there is outstanding thereon a mortgage insured by the Commissioner.

PART 293a—ARMED SERVICES HOUSING INSURANCE; RIGHTS AND OBLIGATIONS OF THE MORTGAGEE UNDER THE INSURANCE CONTRACT

Subpart A—Military Personnel

In § 293a.4 paragraph (a) is amended to read as follows:

§ 293a.4 Form of endorsement.

(a) Upon compliance satisfactory to the Commissioner with the terms and conditions of his commitment to insure, the Commissioner shall endorse the original credit instrument in form as follows:

No._____

Insured under section 803 of the National Housing Act and Regulations thereunder of the Federal Housing Commissioner.

In effect on_____to the extent of advances approved by the Commissioner.

FEDERAL HOUSING COMMISSIONER,
By _____
(Authorized agent)

Date_____

(Sec. 807, 69 Stat. 651; 12 U.S.C. 1748f. Interpret or apply sec. 803, 69 Stat. 647, as amended; 12 U.S.C. 1748b)

Issued at Washington, D.C., October 19, 1960.

LESTER P. CONDON,
Acting Federal Housing Commissioner.

[F.R. Doc. 60–10014; Filed, Oct. 24, 1960; 8:50 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER G—PROCUREMENT

PART 590—GENERAL PROVISIONS

PART 595—FOREIGN PURCHASES

Miscellaneous Amendments

1. Revise §§ 590.401(c) and 590.450, as follows:

§ 590.401 Responsibility of each procuring activity.

* * * * *

(c) Chief, Contracts Branch, Office of the Deputy Chief of Staff for Logistics,

Headquarters, Department of the Army, shall exercise the functions of Head of a Procuring Activity for all contracting officers of the Department of the Army not under the jurisdiction of a Head of a Procuring Activity as listed in § 1.201–7 of this title, and for such other contracting officers operating under the jurisdiction of the Department of the Army as may be designated.

§ 590.450 Selection and appointment of contracting officers.

(a) *Appointing authority.* Contracting officers, as defined in § 1.201–3 of this title, shall be those designated by the persons listed below, or by persons who are authorized by the persons listed in subparagraphs (1) through (4) of this paragraph to designate contracting officers. When so designated, they shall have the authority set forth in § 590.402 and the general responsibilities set forth in § 590.453.

(1) The Secretary of the Army.

(2) The Under Secretary of the Army or Assistant Secretary of the Army (Logistics).

(3) The Deputy Chief of Staff for Logistics, Headquarters, Department of the Army.

(4) Chief, Contracts Branch, Office of the Deputy Chief of Staff for Logistics, Headquarters, Department of the Army.

(5) Head of any procuring activity and his deputy, or a principal assistant in the headquarters officer responsible for procurement (§ 1.201–7 of this title).

(6) Attaches.

(7) Chiefs of foreign missions (Army).

(8) Chiefs of Department of the Army sections of any joint military mission not operating under the jurisdiction of a major oversea command.

(9) Superintendent, United States Military Academy, West Point, N.Y.

(10) Such others as may be specifically designated in writing from time to time.

The officials designated in subparagraphs (5) through (9) of this paragraph will exercise this authority without power of redelegation. The number of contracting officers designated in any purchasing office shall be kept to a minimum essential to efficient operation.

(b) *Selection.* The following shall be considered as required qualifications of individuals to be designated as contracting officers:

(1) Successful completion of the Procurement Management Course, Army Logistics Management Center, Fort Lee, Va., or equivalent training and experience.

(2) Evidence of business acumen and ability to exercise mature judgment.

(3) High standards of character, reputation, and business ethics.

(4) Desirable personality traits.

(5) Previous on-the-job training in a purchasing office.

(c) *Evaluation.* The following general guidelines shall be used in evaluating equivalent training referred to in paragraph (b) (1) of this section:

(1) Knowledge of Government contract law.

(2) Familiarity with the preparation of contracts and purchase orders.

(3) Thorough knowledge of Army procurement regulations and policies.

(4) Familiarity with commercial purchasing and contracting methods and practices.

(5) Ability to analyze, interpret, and evaluate the factors involved in the determination of reasonable price.

In evaluating an individual's training on the basis of the above general guidelines, consideration shall be given to the type of procurements to be made by the individual, i.e., formal advertising or negotiation, and the magnitude and complexity of procurements. For example, satisfactory completion of the Army Basic Procurement Course, conducted by the Quartermaster School, Fort Lee, Virginia, or equivalent training, should normally provide an individual sufficient training to qualify him for appointment as a contracting officer at a post, camp, or station, or for similar type duties.

(d) *Surveillance.* In view of the high degree of individual responsibility and authority vested in a contracting officer, care will be exercised to insure that only well qualified individuals are appointed and retained in such positions. Performance of their duties as contracting officers will therefore be kept under close surveillance.

(e) *Appointment.* (1) Each Contracting Officer shall be designated by name in writing, signed by the appointing authority, which shall include a statement of the specific authorities delegated to such appointee. Such designation shall be rescinded in the same manner upon termination of the individual's assignment as contracting officer.

(2) Civilian personnel in grades below GS–12 or military personnel below the grade of major shall not be designated contracting officers with authority to execute a contractual document involved in the purchase of supplies, services, research and development or military construction in amounts exceeding $100,000. Exceptions to this requirement shall be made only in the most unusual cases by an official authorized to make appointments. (Paragraph (a) of this section.)

(3) Where a purchasing office does not have a contracting officer of the requisite grade or rank necessary to execute contractual documents involving amounts exceeding $100,000 such documents should be forwarded to the next higher level of the procurement chain of command for execution by a contracting officer who is qualified and has been designated to execute such documents. The provisions of this paragraph, however, do not prohibit the assignment of administration of such contracts to properly qualified individuals, regardless of their grade or rank.

2. Revise §§ 595.103–5 and 595.104–5, as follows:

§ 595.103–5 Canadian supplies.

The Assistant Secretary of the Army (Logistics) has determined that the following supplies are of a military character or are involved in programs of mutual interest to the United States and Canada:

(a) All items purchased under contracts for experimental, developmental and research work; and

(b) The following listed supplies identified by Federal Classification Groups and Classes:

Group 10—Weapons (all classes).
Class 1135 [1]—Fuzing and Firing Devices, Atomic Ordnance.
Class 1190 [1]—Specialized Test and Handling Equipment, Atomic Ordnance.
Group 22—Railway Equipment (all classes).
Group 23—Motor Vehicles, Trailers, Cycles (all classes).
Group 24—Tractors (all classes).
Group 25—Vehicular Equipment Components (all classes).
Group 12—Fire Control Equipment (all classes).
Group 13—Ammunition and Explosives (all classes).
Class 1410—Guided Missiles.
Class 1420—Guided Missile Components.
Class 1430—Guided Missile Remote Control Systems.
Class 1440—Launchers, Guided Missiles.
Class 1450—Guided Missile Handling and Servicing Equipment.
Group 15—Aircraft and Airframe Structural Components (all classes).
Group 16—Aircraft Components and Accessories (all classes).
Group 17—Aircraft Launching, Landing and Ground Handling Equipment (all classes).
Class 1930—Barges and Lighters, Cargo.
Group 26—Tires and Tubes (all classes).
Group 28—Engines, Turbines and Components (all classes).
Group 29—Engine Accessories (all classes).
Group 30—Mechanical Power Transmission Equipment (all classes).
Group 31—Bearings (all classes).
Group 34—Metalworking Machinery.
Class 3615—Pulp and Paper Industries Machinery.
Class 3625—Textile Industries Machinery.
Class 3695—Miscellaneous Special Industry Machinery.
Group 38—Construction, Mining, Excavating (all classes).
Group 39—Materials Handling Equipment (all classes).
Class 1935—Barges and Lighters, Special Purpose.
Class 1940—Small Craft.
Class 1945—Pontoons and Floating Docks.
Group 20—Ship and Marine Equipment (all classes).
Group 43—Pumps and Compressors (all classes).
Class 4410—Industrial Boilers.
Class 4420—Heaters Exchangers and Steam Condensers.
Class 4470—Nuclear Reactors.
Class 4520—Space Heating Equipment and Domestic Water Heaters.
Group 46—Water Purification and Sewage Treatment Equipment (all classes).
Group 47—Pipe, Tubing, Hose and Fittings (all classes).
Group 48—Valves (all classes).
Group 41—Refrigeration and Air Conditioning Equipment (all classes).
Class 4210—Fire Fighting Equipment (all classes).
Class 4240—Safety and Rescue Equipment.
Class 6340—Aircraft Alarms and Signal Systems.
Group 66—Instruments and Laboratory Equipment (all classes).
Class 6710—Cameras, Motion Picture.
Class 6720—Cameras, Still Picture.
Class 6730—Photographic Projection Equipment.
Class 6770—Film, Processed.

[1] Subject to Atomic Energy Act restrictions.

Group 68—Chemicals and Chemical Products (all classes).
Group 69—Training Aids and Devices (all classes).
Class 7440—Automatic Data Processing Systems: Industrial, Scientific and Office Types.
Group 49—Maintenance and Repair Shop Equipment (all classes).
Class 5220—Inspection Gages and Precision Layout Tools.
Group 53—Hardware and Abrasives (all classes).
Group 54—Prefabricated Structures and Scaffolding (all classes).
Group 55—Lumber, Millwork, Plywood and Veneer (all classes).
Group 56—Construction and Building Materials (all classes).
Group 58—Communication Equipment (all classes).
Group 59—Electrical and Electronic Equipment Components (all classes).
Group 61—Electric Wire and Power Distribution Equipment (all classes).
Class 7610—Books and Pamphlets.
Class 7650—Drawings and Specifications.
Class 8010—Paints, Dopes, Varnishes and Related Products.
Class 8020—Paint and Artists Brushes.
Class 8030—Preservation and Sealing Compounds.
Class 8115—Boxes, Cartons and Crates.
Class 8140—Ammunition, Boxes, Packages and Special Containers.
Class 9320—Rubber Fabricated Materials.
Class 9330—Plastics Fabricated Materials.
Class 9350—Refractories and Fire Surfacing Materials.
Class 6210—Indoor and Outdoor Electric Lighting Fixtures.
Class 6220—Electric Vehicular Lights and Fixtures.
Group 95—Metal Bars, Sheets and Shapes (all classes).

End equipment parts (repair parts) for the supplies listed in this section are considered to be included in the list, even though not separately listed, when they are procured under a contract that also calls for listed supplies.

§ 595.104–5 Contract clause.

In addition to the clause prescribed by § 6.104–5 of this title, the additional special provisions set forth in this section shall be included in all contracts for supplies; experimental, developmental, or research; and in contracts for services when applicable, except that these provisions shall not be included in contracts exclusively for articles, materials, or supplies for use outside the United States, for items not listed in this section, involving procurements exempt under provisions of § 595.504(c), and for Civil Works acquired with funds appropriated for Civil Functions, Department of the Army.

(a) *Supply contracts.* The following special provision shall be included in supply contracts:

The following articles, materials, and supplies which are to be acquired under this contract are listed in paragraph 6–103.5 of the Army Procurement Procedure. Accordingly, bids or proposals offering (i) Canadian end products as defined in paragraph 6–101(e) of the Armed Services Procurement Regulation, or (ii) supplies which are mined, produced or manufactured in Canada and are to be incorporated in end products manufactured in the United States, for the following listed supplies acquired under this contract will be treated as domestic bids or proposals as defined in paragraph 6–101(g) of the Armed Services Procurement Regulation. (Insert broad class of listed items from APP 6–103.5a as applicable.)

(b) *Experimental, developmental or research contracts.* The following special provision shall be included in experimental, developmental or research contracts:

All articles, materials and supplies which are to be acquired under this contract are subject to the provisions of paragraph 6–103.5 of the Army Procurement Procedure. Accordingly, bids or proposals offering (i) Canadian end products as defined in paragraph 6–101(e) of the Armed Services Procurement Regulation, or (ii) supplies which are mined, produced or manufactured in Canada and are to be incorporated in end products manufactured in the United States for equipment being acquired under this contract will be treated as domestic bids or proposals as defined in paragraph 6–101(g) of the Armed Services Procurement Regulation.

(c) *Service contracts.* One of the provisions set forth in paragraph (a) or (b) of this section will be included in service contracts when applicable.

Effective date. These amendments shall become effective upon their publication in the FEDERAL REGISTER.

[C 25, APP, Sept. 27, 1960] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314)

R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 60–9978; Filed, Oct. 24, 1960; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER N—ARTIFICIAL ISLANDS AND FIXED STRUCTURES ON THE OUTER CONTINENTAL SHELF

[CGFR 60–35]

LIFESAVING EQUIPMENT AND MARKINGS FOR EMERGENCY EQUIPMENT

Pursuant to the notice of proposed rule making published in the FEDERAL REGISTER on February 18, 1960 (25 F.R. 1440–1448), and Merchant Marine Council Public Hearing Agenda dated April 4, 1960 (CG–249), the Merchant Marine Council held a Public Hearing on April 4, 1960, for the purpose of receiving comments, views and data. The proposals considered were identified as Items I through XII, inclusive, and Items II and III contained proposed requirements regarding inflatable life rafts, life preservers and other livesaving equipment. This document is supplementary to CGFR 60–36 which includes actions based on items II and III to amend the vessel inspection regulations in 46 CFR Chapter I.

This document contains the final actions taken with respect to the proposed changes in Items II and III regarding lifesaving equipment and markings for emergency equipment on artificial islands and fixed structures. On the basis of comments received the effective date for removal of life preservers which do not have plastic-covered pad inserts was postponed from "July 1, 1961," to "July 1, 1963." The other actions based on Items II and III are set forth in a separate document, CGFR 60–36.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 167–15, dated January 3, 1955 (20 F.R. 840), and 167–17 dated June 29, 1955 (20 F.R. 4976), to promulgate regulations in accordance with the statutes cited with the regulations below, the following regulations and amendments are prescribed and shall become effective on and after January 1, 1961, except as provided otherwise in the regulations:

PART 144—LIFESAVING APPLIANCES

Subpart 144.01—Manned Platforms

1. Section 144.01–15 is amended by revising paragraph (a) and by adding a new paragraph (d) (with a note) reading as follows:

§ 144.01–15 Alternates for life floats.

(a) Approved lifeboats, approved life rafts or approved inflatable life rafts may be used in lieu of approved life floats for either all or part of the capacity required. When either lifeboats or life rafts are used approved means of launching will be required. Inflatable life rafts, when used, shall be distributed and mounted as required for life floats under § 144.01–5.

* * * * *

(d) Inflatable life rafts shall be equipped for "Limited Service" in accordance with Subpart 160.051 of Subchapter Q (Specifications) of 46 CFR Chapter I.

NOTE: Subpart 160.051 of Subchapter Q (Specifications) of 46 CFR Chapter I requires the servicing of inflatable life rafts every 12 months at approved servicing facilities. Included in this servicing at an approved facility is a complete inspection of the required equipment by a marine inspector.

2. Section 144.01–20 is amended to read as follows:

§ 144.01–20 Life preservers.

(a) An approved life preserver shall be provided for each person on a manned platform. The life preservers shall be located in easily accessible places.

(b) On or before July 1, 1963, all kapok and fibrous glass life preservers which do not have plastic-covered pad inserts shall be removed from service.

(Sec. 633, 63 Stat. 545; 14 U.S.C. 633. Interprets or applies sec. 4, 67 Stat. 462; 43 U.S.C. 1333)

Subpart 144.10—Unmanned Platforms

3. Section 144.10–1 is amended to read as follows:

§ 144.10–1 Life preservers.

(a) On an unmanned platform an adult life preserver shall be provided for each person thereon while crews are working continuously on a 24-hour basis.

The life preservers shall be located in easily accessible places.

(b) On or before July 1, 1963, all kapok and fibrous glass life preservers which do not have plastic-covered pad inserts shall be removed from service.

(Sec. 633, 63 Stat. 545; 14 U.S.C. 633. Interprets or applies sec. 4, 67 Stat. 462; 43 U.S.C. 1333)

PART 146—OPERATIONS

Subpart 146.05—Manned Platforms

Section 146.05-35(d) is amended to read as follows:

§ 146.05-35 Markings for emergency equipment.

* * * * *

(d) All life floats, lifeboats, and life rafts, together with paddles or oars, shall be conspicuously marked with a name or number or identification of the artificial island or fixed structure on which placed. The number of persons allowed on each life float, lifeboat, or life raft shall be conspicuously marked thereon in letters and numbers 1½ inches high. These numbers shall be placed on both sides of the life float, lifeboat, or life raft. Inflatable life rafts shall be marked in accordance with Subpart 160.051 of Subchapter Q (Specifications) of this chapter and no additional markings are required.

(Sec. 633, 63 Stat. 545; 14 U.S.C. 633. Interprets or applies sec. 4, 67 Stat. 462; 43 U.S.C. 1333)

Dated: September 23, 1960.

[SEAL] A. C. RICHMOND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 60-10003; Filed, Oct. 24, 1960; 8:48 a.m.]

Chapter II—Corps of Engineers, Department of the Army

PART 205—DUMPING GROUNDS REGULATIONS

Lake St. Clair, Michigan

Pursuant to the provisions of section 4 of the River and Harbor Act of March 3, 1905 (33 Stat. 1147; 33 U.S.C. 419), § 205.50 is hereby amended revising the last sentence in paragraph (a) to change the description of the buoys marking the dumping ground in Lake St. Clair, Michigan. Paragraph (a) reads as follows:

§ 205.50 Lake St. Clair, Mich.

(a) *The dumping grounds.* The waters of Lake St. Clair within a rectangular area east of Grosse Pointe, Michigan, between the Lake St. Clair Ship Channel and the International Boundary, bounded as follows: Beginning at a point, 900 feet southeasterly from the southeast channel line of the Ship Channel, bearing 53°30' true, 13,500 feet, from Peach Island Range Front Light; thence 48° true, along a line parallel to and 900 feet southeasterly from the southeast channel line of the Ship Channel, 13,000 feet; thence 138° true, 6,500 feet; thence 228° true, 13,000 feet; and thence 318° true, 6,500 feet, to the point of beginning. The boundaries of the area are marked by a series of white and international orange buoys alternately banded, either horizontally or vertically, established and maintained by the United States Coast Guard.

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

[Regs., Oct. 12, 1960, 285/91 (Lake St. Clair, Mich.)—ENGCW-O] (Sec. 4, 33 Stat. 1147; 33 U.S.C. 419)

R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 60-9979; Filed, Oct. 24, 1960; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2207]

CALIFORNIA, COLORADO, WYOMING

Partly Revoking Certain Reclamation Withdrawals and Executive Order of April 6, 1859

By virtue of the authority vested in the Secretary of the Interior by section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The Departmental orders of January 15, 1942, September 14, 1937, and July 13, 1943, which withdrew lands in California, Colorado, and Wyoming respectively, for first form reclamation purposes, are hereby revoked so far as they affect the following-described lands:

[1894999]

a. Departmental order of January 15, 1942 (Nashville Reservoir, Central Valley Project):

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 8 N., R. 10 E.,
Sec. 12, lot 6.

Containing 45.47 acres.

[Colorado 031079]

b. Departmental order of September 14, 1937 (Colorado-Big Thompson Project):

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 2 S., R. 79 W.,
Sec. 7, lot 4;
Sec. 18, lot 4;
Sec. 19, lots 4 to 26, incl., and 28 to 30, incl.;
Sec. 20, lots 3, 5, 6, and 14 to 23, incl.;
Sec. 28, lots 1, 2, and 4 to 8, incl., 11, 12 and SW¼SE¼;
T. 2 S., R. 80 W.,
Sec. 13, NE¼NE¼, S½NE¼, SE¼NW¼, N½S½, SW¼SW¼, and S½SE¼;
Sec. 14, NW¼NW¼, NE¼SW¼, S½SW¼, and SE¼;
Sec. 15, NW¼NW¼, S½NW¼, SW¼, NW¼SE¼, and S½SE¼;
Sec. 24, NW¼NW¼.

The areas described aggregate 2,404.56 acres.

[Wyoming 056607]

c. Departmental order of July 13, 1943 (Sulphur Creek Reservoir, Bear River Storage Project):

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 14 N., R. 119 W.,
Sec. 28, N½S½;
Sec. 34, N½NE¼;
Sec. 35, lots 9 and 10.

The areas described aggregate 299.18 acres.

2. The lands described in paragraphs 1 (a) and (b) hereof, are either patented, or included in other withdrawals for power purposes. Lots 9 and 10 in subparagraph (c) are included in the Fort Bridger Coal Reserve established by Executive Order of April 6, 1859, which order is hereby revoked as to the lands.

3. Subject to valid existing rights, and the requirements of applicable law, the lands described in paragraph 1(c) are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph:

(2) Until 10:00 a.m., on April 18, 1961, the State of Wyoming shall have a preferred right of application to select the lands in accordance with and subject to the provisions of subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and the regulations in 43 CFR.

(3) All valid applications and selections under the nonmineral public land laws other than any from the State of Wyoming, presented prior to 10:00 a.m., on November 23, 1960, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws beginning at 10:00 a.m., on April 18, 1961.

4. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims, must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Inquiries concerning the lands opened by this order should be addressed to the

Manager, Land Office, Bureau of Land Management, Cheyenne, Wyoming.

GEORGE W. ABBOTT,
Assistant Secretary of the Interior.

OCTOBER 18, 1960.

[F.R. Doc. 60-9989; Filed, Oct. 24, 1960; 8:47 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 60-65]

VESSELS UTILIZING NUCLEAR ENERGY OR HANDLING RADIOACTIVE MATERIALS

Pursuant to the notice of proposed rule making published in the FEDERAL REGISTER on February 18, 1960 (25 F.R. 1440–1448), and Merchant Marine Council Public Hearing Agenda dated April 4, 1960 (CG-249), the Merchant Marine Council held a Public Hearing on April 4, 1960, for the purpose of receiving comments, views and data. The proposals considered were identified as Items I through XII, inclusive.

This document contains the actions taken with respect to the proposals regarding "nuclear energy" as set forth under Item IX—Marine Engineering (CG-249, pp. 152–155). The regulations in this document are general in nature and authorize the Commandant to prescribe the detailed requirements applicable to each vessel pending the development of specific safety standards, which will be based on additional service experience expected to be gained from the actual operation of the "N.S. Savannah." Their intent is to provide a uniform basis for evaluating and establishing necessary safety standards for vessels when having aboard nuclear energy as a source of power for propulsion or for other purposes, as well as to provide safety standards for vessels when handling, processing or having on board radioactive materials. By this control the Coast Guard will carry out one of its primary duties, i.e., to promote "safety of life and property on the high seas and on waters subject to the jurisdiction of the United States."

The Coast Guard is most appreciative of the assistance and advice received from the Atomic Energy Commission. The requirements designated 46 CFR Subpart 57.30 were revised to reflect the views of both the Atomic Energy Commission and the Coast Guard. In order to show the application of these new regulations to vessels, appropriate cross references describing application have been inserted in the various pertinent regulations. The proposals regarding nuclear energy in Item IX of the Merchant Marine Council Agenda, as revised and as set forth in this document, are hereby adopted.

The amendments and regulations other than 46 CFR Subpart 57.30 in this document were not described in the FEDERAL REGISTER of February 18, 1960 (25 F.R. 1440–1448), or in the Merchant Marine Council Public Hearing Agenda dated April 4, 1960 (CG-249). These changes are considered to be statements of policy, interpretations of law, 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 procedures thereon, and effective date requirements thereof) is not required with respect to such changes.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), 167-9, dated July 31, 1950 (15 F.R. 6521), 167-9, dated August 3, 1954 (19 F.R. 5915), 167-14, dated November 28, 1954 (19 F.R. 8026), 167-17 (20 F.R. 4976), 167-20, dated June 18, 1956 (21 F.R. 4894), CGFR 56-28, dated July 24, 1956 (21 F.R. 5659), and 167-38, dated October 26, 1959 (24 F.R. 8857), to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendments and regulations are prescribed and shall become effective on and after the date of publication of this document in the FEDERAL REGISTER:

SUBCHAPTER D—TANK VESSELS

PART 31—INSPECTION AND CERTIFICATION

Subpart 31.30—Marine Engineering

Section 31.30-1 is amended to read as follows:

§ 31.30-1 Marine engineering regulations and material specifications—TB/ALL.

(a) All tank vessels are subject to the regulations contained in Parts 50 to 61, inclusive, of Subchapter F (Marine Engineering) of this chapter, whenever applicable, except as such regulations are modified by the regulations in this subchapter for tank vessels.

(b) All vessels utilizing nuclear energy for propulsion or for any other purpose, or handling radioactive materials other than as cargo shall comply with the applicable requirements in Subpart 57.30 of Part 57 of Subchapter F (Marine Engineering) of this chapter. The regulations covering the transportation and handling of radioactive materials as cargo are contained in Part 146 of Subchapter N (Explosives or Other Dangerous Articles or Substances and Combustible Liquids on Board Vessels) of this chapter.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 2, 23 Stat. 118, as amended, secs. 2, 633, 63 Stat. 496, 545; 46 U.S.C. 375, 391a, 416, 2, 14 U.S.C. 2, 633. Interpret or apply R.S. 4472, as amended, sec. 14, 29 Stat. 690, as amended, 41 Stat. 305, as amended, sec. 1, 2, 49 Stat. 1544, as amended, sec. 3, 68 Stat. 675, 46 U.S.C 170, 366, 367; 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

SUBCHAPTER F—MARINE ENGINEERING

PART 57—MAIN AND AUXILIARY MACHINERY

Part 57 is amended by adding at the end thereof a new Subpart 57.30, consisting of §§ 57.30-1 to 57.30-20, inclusive, reading as follows:

Subpart 57.30—Nuclear Energy

Sec.
57.30-1 Scope.
57.30-5 Definitions.
57.30-10 General safety requirements.
57.30-15 Special operating procedures.
57.30-20 Inspection, overhaul, and repair.

AUTHORITY: §§ 57.30-1 to 57.30-20 issued under R.S. 4405, as amended, 4462, as amended, sec. 2, 23 Stat. 118, as amended, secs. 2, 633, 63 Stat. 496, 545; 46 U.S.C. 375, 416, 2, 14 U.S.C. 2, 633. Interpret or apply R.S. 4417a, as amended, 4472, as amended, sec. 14, 29 Stat. 690, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 170, 366, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

Subpart 57.30—Nuclear Energy

§ 57.30-1 Scope.

(a) The requirements in this subpart apply to all installations, systems, and components thereof, utilizing nuclear energy for propulsion or for any other purpose, or handling radioactive materials other than as cargo.

(b) The regulations covering the transportation and handling of radioactive materials as cargo are contained in Part 146 of Subchapter N (Explosives or Other Dangerous Articles or Substances and Combustible Liquids on Board Vessels) of this chapter.

§ 57.30-5 Definitions.

(a) The term "nuclear vessel" means any vessel in which power for propulsion, or for any other purpose, is derived from nuclear energy; or any vessel handling or processing substantial amounts of radioactive material other than as cargo.

(b) The term "nuclear energy" means all forms of energy released by nuclear fission or radioactive decay, or by any other form of nuclear transformation.

(c) The term "radioactive material" means any material or combination of materials that spontaneously emits ionizing radiation.

§ 57.30-10 General safety requirements.

(a) Every nuclear vessel subject to this subchapter shall be inspected by the U.S. Coast Guard at least annually to ascertain that the hull, nuclear systems, machinery, equipment, appliances, etc., of the vessel comply with the regulations in this chapter.

(b) The Standards for Protection Against Radiation, set forth in 10 CFR Part 20, will be the radiation protection standards followed by the U.S. Coast Guard, except as otherwise provided for by law.

(c) Prior to the issuance of a certificate of inspection by the U.S. Coast Guard for a nuclear vessel, it shall be shown to the satisfaction of the Commandant that:

(1) The vessel provides a degree of safety for the non-nuclear portion at least equivalent to the relevant requirements prescribed in this chapter for a conventionally-powered ocean-going passenger vessel of similar size, capacity, and tonnage. In this respect components and systems such as watertight subdivision, stability, fire protection, bilge pumping arrangements, fire

extinguishing arrangements, electrical installations, steering gear, astern power, and navigational aids will be evaluated in order to provide for the maximum practicable safety for the vessel.

(2) The vessel complies with such additional requirements as may be prescribed by the Commandant and with the requirements of the Atomic Energy Commission.

(3) The design, construction, and operation of the vessel do not create an unreasonable nuclear hazard to the crew, passengers, public, waterways, or food and water supply.

(4) The nuclear systems or components thereof are provided with means for preventing the uncontrolled release of hazardous amounts of radioactive material to normally accessible spaces or to the ship's environment in the event of accident or malfunctioning of the nuclear system.

(5) The vessel has standby and emergency components essential to its safe operation in order to provide maximum protection in the event of an accident or malfunctioning of the nuclear system.

(d) A license or other certificate issued by the Atomic Energy Commission may be accepted by the Commandant as evidence that the vessel complies with the requirements of the Atomic Energy Commission and paragraph (c) (3) and (4) of this section.

§ 57.30–15 Special operating procedures.

(a) In addition to the requirements specified in this chapter, all nuclear vessels may be subject to additional requirements governing fueling, start-up, and operation.

§ 57.30–20 Inspection, overhaul, and repair.

(a) In addition to the requirements for inspection, test, overhaul, and repair specified in this chapter, nuclear vessels may be subject to such additional requirements as may be prescribed by the Commandant for inspection, test, overhaul, and repair.

SUBCHAPTER H—PASSENGER VESSELS

PART 70—GENERAL PROVISIONS

Subpart 70.20—General Marine Engineering Requirements

2. Subpart 70.20 is amended by adding after § 70.20–1 a new section reading as follows:

§ 70.20–5 Vessels utilizing nuclear energy or handling radioactive materials.

(a) All vessels utilizing nuclear energy for propulsion or for any other purpose, or handling radioactive materials other than as cargo shall comply with the applicable requirements in Subpart 57.30 of Part 57 of Subchapter F (Marine Engineering) of this chapter. The regulations covering the transportation and handling of radioactive materials as cargo are contained in Part 146 of Subchapter N (Explosives or Other Dangerous Articles or Substances and Combustible Liquids on Board Vessels) of this chapter.

(R.S. 4405, as amended, 4462, as amended, sec. 2, 23 Stat. 118, as amended, secs. 2, 633, 63 Stat. 496, 545; 46 U.S.C. 375, 416, 2, 14 U.S.C. 2, 633. Interpret or apply R.S. 4417a, as amended, 4472, as amended, sec. 14, 29 Stat. 690, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 170, 366, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS

PART 90—GENERAL PROVISIONS

Subpart 90.20—General Marine Engineering Requirements

Subpart 90.20 is amended by adding after § 90.20–1 a new section reading as follows:

§ 90.20–5 Vessels utilizing nuclear energy or handling radioactive materials.

(a) All vessels utilizing nuclear energy for propulsion or for any other purpose, or handling radioactive materials other than as cargo shall comply with the applicable requirements in Subpart 57.30 of Part 57 of Subchapter F (Marine Engineering of this chapter. The regulations covering the transportation and handling of radioactive materials as cargo are contained in Part 146 of Subchapter N (Explosives or Other Dangerous Articles or Substances and Combustible Liquids on Board Vessels) of this chapter.

(R.S. 4405, as amended, 4462, as amended, sec. 2, 23 Stat. 118, as amended, secs. 2, 633, 63 Stat. 496, 545; 46 U.S.C. 375, 416, 2, 14 U.S.C. 2, 633. Interpret or apply R.S. 4417a, as amended, 4472, as amended, sec. 14, 29 Stat. 690, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 170, 366, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR 1952 Supp.)

PART 98—SPECIAL CONSTRUCTION, ARRANGEMENT, AND PROVISIONS FOR CERTAIN DANGEROUS CARGOES IN BULK

Part 98 is amended by adding at the end thereof a new Subpart 98.30, consisting of § 98.30–1, reading as follows:

Subpart 98.30—Nuclear Energy

§ 98.30–1 Vessels handling radioactive materials.

(a) All vessels handling or processing radioactive materials in substantial amounts other than as cargo shall comply with the applicable requirements in Subpart 57.30 of Part 57 of Subchapter F (Marine Engineering) of this chapter. The regulations covering the transportation and handling of radioactive materials as cargo are contained in Part 146 of Subchapter N (Explosives or Other Dangerous Articles or Substances and Combustible Liquids on Board Vessels) of this chapter.

(R.S. 4405, as amended, 4462, as amended, sec. 2, 23 Stat. 118, as amended, secs. 2, 633, 63 Stat. 496, 545; 46 U.S.C. 375, 416, 2, 14 U.S.C. 2, 633. Interpret or apply R.S. 4417a, as amended, 4472, as amended, sec. 14, 29 Stat. 690, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 170, 366, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR 1952 Supp.)

SUBCHAPTER N—EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

Subpart—Detailed Regulations Governing Poisonous Articles

Part 146 is amended by inserting after § 146.25–60 a new section reading as follows:

§ 146.25–65 Vessels utilizing nuclear energy or handling radioactive materials.

(a) All vessels utilizing nuclear energy for propulsion or for any other purpose, or handling radioactive materials other than as cargo shall comply with the applicable requirements in Subpart 57.30 of Part 57 of Subchapter F (Marine Engineering) of this chapter. The regulations covering the transportation and handling of radioactive materials as cargo are set forth in this subpart.

(R.S. 4405, as amended, 4462, as amended, sec. 2, 23 Stat. 118, as amended, secs. 2, 633, 63 Stat. 496, 545; 46 U.S.C. 375, 416, 2, 14 U.S.C. 2, 633. Interpret or apply R.S. 4417a, as amended, 4472, as amended, sec. 14, 29 Stat. 690, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 170, 366, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR 1952 Supp.)

Dated: October 19, 1960.

[SEAL] J. A. HIRSHFIELD,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 60–10004; Filed, Oct. 24, 1960; 8:48 a.m.]

SUBCHAPTER S—NUMBERING OF UNDOCUMENTED VESSELS, STATISTICS ON NUMBERING, AND "BOATING ACCIDENT REPORTS" AND BOATING ACCIDENT STATISTICS

[CGFR 60–67]

PART 172—INTERPRETIVE RULINGS—FEDERAL BOATING ACT AND ACT OF APRIL 25, 1940, AS AMENDED

Federal Boating Act of 1958; Interpretive Ruling

The Coast Guard is charged with the responsibility for the general superintendence of the administration and enforcement of the Federal Boating Act of 1958 and the Act of April 25, 1940, as amended, which apply primarily to recreational boating on the navigable waters of the United States and the high seas under the jurisdiction of the United

States. From time to time inquiries are received concerning the meaning of specific provisions of law and requesting official statements of the Commandant's position in such matters. Inasmuch as these interpretations are of interest to the general public and may affect them under certain circumstances, these interpretations are being published in the FEDERAL REGISTER and designated as 46 CFR Part 172.

An inquiry was received from a State official concerning the meaning of the word "use" as found in subsection 3(b) of the Federal Boating Act of 1958 (46 U.S.C. 527a(b)). This provision of law reads as follows:

> The owner of an undocumented vessel required to be numbered under subsection (a) of this section shall secure a number for such vessel in the State in which it is principally used, in accordance with the State numbering system approved by the Secretary in accordance with subsection (c) of this section, or if no such numbering system has been approved by the Secretary for the State where such vessel is principally used, shall secure a number for such vessel in accordance with subsection (d) of this section.

Although no specific legislative pronouncement is found, the Coast Guard has considered that the Congress in recognition of the mobility of the boating public, and the fact that the vessel may be maintained at some distance from the residence of the owner, adopted the phrase "* * * State in which it is principally used, * * *" in the above quoted law so that a boat owner could ascertain with a reasonable degree of certainty where to secure a number. To carry out this intent the phrase "* * * using the navigable water of the United States * * *" in subsection 3(a) of this Act (46 U.S.C. 527a(a)) is interpreted by the Coast Guard not as a legal term or expression, but as ordinary words in common use, meaning when a vessel is "on" the navigable waters of the United States. Thus the Coast Guard considers the term "principally used" to include the time when the vessel is not in motion, as for instance when she is moored or at anchor, equally with the time when the vessel is being navigated. Since the Act would be only applicable to the vessel when it is on the navigable waters of the United States, those periods when the vessel is being transported by trailer or is stored on land are excluded from any computation of time in determining principal use.

In setting forth these interpretive rulings as regulations, additional informative regulations have been inserted to explain their scope, the assignment of functions, and enforcement procedures. These interpretive rulings must be read in conjunction with the law interpreted. There is no violation of an interpretive ruling as such. Rather, a failure to comply with any law as interpreted will be considered as a violation of such law, and the penalty for a violation may be assessed as provided by law.

Because the regulations in this document are interpretations or informative regulations, it is hereby found that the Coast Guard is exempt from compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedures thereon, and effective date requirements thereof).

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), and 167–17, dated June 29, 1955 (20 F.R. 4976), to promulgate rules in accordance with the statutes cited with the informative rules below, the following regulations and amendments are prescribed and shall be effective on and after the date of publication of this document in the FEDERAL REGISTER:

1. The title for Part 172 is changed to "Interpretive Rulings—Federal Boating Act and Act of April 25, 1940, as amended."

2. Pursuant to the provisions in the Federal Boating Act of 1958, the regulations previously designated as 46 CFR Part 172 were canceled, effective April 1, 1960. (See statement regarding effective termination dates of regulations in this part in § 172.25–5.)

3. Subchapter S is amended by inserting a new Part 172 reading as follows:

Subpart 172.01—General Provisions

Sec.

172.01–1 Scope.
172.01–5 Assignment of functions.
172.01–10 Penalties and violations.

Subpart 172.05—Federal Boating Act

172.05–1 State of principal use.

AUTHORITY: §§ 172.01–1 to 172.05–1 issued under sec. 3, 60 Stat. 238, and secs. 2, 633, 63 Stat. 496, 545; 5 U.S.C. 1002, 14 U.S.C. 2, 633.

Subpart 172.01—General Provisions

§ 172.01–1 Scope.

(a) The regulations in this part are interpretive rulings of specific provisions of the Federal Boating Act of 1958 and the Act of April 25, 1940, as amended (46 U.S.C. 526 through 527*h*).

§ 172.01–5 Assignment of functions.

(a) The Secretary of the Treasury by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), and 167–17, dated June 25, 1955 (20 F.R. 4976), delegated to the Commandant, United States Coast Guard, authority to prescribe regulations as necessary to carry out the provisions of any law administered by the Coast Guard. The interpretive rulings in this part are prescribed pursuant to section 3 of the Administrative Procedure Act (5 U.S.C. 1002) and 14 U.S.C. 2 and 633 in the Act of August 4, 1949.

(b) The Secretary of the Treasury by Treasury Department Order 167–32, dated September 23, 1958 (23 F.R. 7605), transferred to the Commandant, United States Coast Guard, the functions of the Secretary of the Treasury under the Federal Boating Act of 1958 (Public Law 85–911; 72 Stat. 1754–1758; 46 U.S.C. 526*l*, 526*u*, 527–527*h*).

§ 172.01–10 Penalties and violations.

(a) Failure to comply with any law as interpreted will be considered as a violation of such law and the penalty may be assessed as provided by law.

(b) The reports of violations, as well as the assessment, collection, mitigation or remission of civil penalties authorized by law, shall be in accordance with §§ 2.50–20 to 2.50–30 of Subchapter A (Procedures Applicable to the Public) of this chapter.

Subpart 172.05—Federal Boating Act

§ 172.05–1 State of principal use.

(a) Subsection 3(b) of the Federal Boating Act (46 U.S.C. 527a(b)) states in part "The owner of an undocumented vessel * * * shall secure a number for such vessel in the State in which it is principally used, * * *." In determining the time a vessel may be in a State, the term "principally used" is interpreted as meaning the time when the vessel is "on" the navigable waters of the United States, which includes the time when the vessel is not in motion, as for instance when the vessel is moored or at anchor, equally with the time when the vessel is being navigated. Since the act would be only applicable to the vessel when it is on the navigable waters of the United States, those periods when the vessel is being transported by trailer or is stored on land are excluded from any computation of time in determining "the State in which it is principally used."

Dated: October 18, 1960.

[SEAL] J. A. HIRSHFIELD,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 60–10002; Filed, Oct. 24, 1960; 8:48 a.m.]