

nishing false guaranties that their products were not misbranded or falsely invoiced.

The order to cease and desist is as follows:

It is ordered. That respondents Rodless Decorations, Inc., a corporation and its officers, and Charles Druck individually, and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported, in commerce, or the importation into the United States of textile fiber products; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of textile fiber products which have been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of textile fiber products, whether in their original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber products" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name or amount of constituent fibers contained therein;

2. Failing to affix labels to such products showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. Failing to maintain records of fiber content of textile fiber products manufactured by them, as required by section 6(a) of the Textile Fiber Products Identification Act and Rule 39 of the Regulations thereunder.

C. Furnishing false guaranties that textile fiber products are not misbranded or falsely invoiced, under the provisions of the Textile Fiber Products Identification Act.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered. That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order contained in the aforesaid initial decision, as modified.

Issued: September 25, 1961.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-726; Filed, Jan. 22, 1962;
8:49 a.m.]

No. 15—2

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.475]

PART 51—PASSPORTS

Correction

In F.R. Doc. 62-459 appearing at page 344 of the issue for Friday, January 12, 1962, the file line at the end of the document is corrected to read "[F.R. Doc. 62-459; Filed, Jan. 11, 1962; 12:30 p.m.]".

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

MISCELLANEOUS AMENDMENTS

1. Section 3.253 is revoked.

§ 3.253 Notice of material increase in income or change in status. [Revoked]

2. The cross references immediately following § 3.253 are deleted.

3. Section 3.256 is revised to read as follows:

§ 3.256 Annual income and net worth questionnaires.

A questionnaire will be sent once each calendar year to each payee who is receiving pension or dependency and indemnity compensation, whose entitlement is subject to an annual income (and net worth where applicable) limitation (38 U.S.C. 415(e) and 506(b)).

4. In § 3.500, paragraph (h) is amended to read as follows:

§ 3.500 General.

(h) Dependency of parent (§§ 3.4 (a), (b) (2), 3.250 and 3.660). End of month in which evidence shows dependency ceased.

5. Section 3.660 is revised to read as follows:

§ 3.660 Material change in income, net worth or change in status.

(a) *Requiring reduction or discontinuance*—(1) *Dependency and indemnity compensation.* If, after approval of an award of dependency and indemnity compensation or the submission of an annual income questionnaire, the payee begins to receive additional income at a rate which if continued will cause his income to exceed the income limitation applicable to the rate of dependency and indemnity compensation being paid or by reason of a change in marital status he would not be eligible to receive the rate of dependency and indemnity compensation which was

awarded, he must notify the Veterans Administration of such fact. The award to each payee will be adjusted as of the last day of the month (1962 and thereafter) in which such additional income was received or the change in marital status occurred. Where parents are living together, an overpayment will be established for each parent who was in receipt of dependency and indemnity compensation. Any overpayment created under this paragraph will be subject to recovery if not waived. (38 U.S.C. 415(f)).

(2) *Compensation to dependent parent.* If, after approval of an award of compensation to a dependent parent, the payee's status changes either as to income, property, dependents, or any other factor so that dependency no longer exists he must notify the Veterans Administration of such fact. The award of compensation will be discontinued as of the last day of the month (1962 and thereafter) in which the dependency ceased to exist.

(3) *Pension.* If, after approval of an award or the submission of an annual income (and net worth where applicable) questionnaire, the payee begins to receive additional income at a rate which if continued will cause his income to exceed the income limitation applicable to the rate of pension being paid, or if by reason of a change in marital or dependency status or increase in net worth he is not eligible to receive the rate of pension which was awarded he must notify the Veterans Administration of such fact. The award to the payee will be adjusted as of the last day of the month (1962 and thereafter) in which such additional income was received, net worth increased or the change in marital or dependency status occurred. Any overpayment created under this paragraph will be subject to recovery if not waived.

(b) *Requiring award or increase*—(1) *Dependency and indemnity compensation*—(i) *Income*—(a) *Anticipated income.* Dependency and indemnity compensation or increased dependency and indemnity compensation may be awarded on the basis of anticipated income. Where a claim was disallowed, discontinued, or reduced for the prior year because the actual income exceeded the statutory limitation or was in an amount as to require payment at a reduced rate, an award or increased award may be effective January 1 of the next calendar year if evidence is received not later than that calendar year that the income will not exceed the statutory limitation or will fall within a lower income increment. Where there is doubt as to the extent of anticipated income, payment of dependency and indemnity compensation may be withheld or paid at the lowest level consistent with the report of income. The withheld amount may be awarded when actual income is ascertained.

(b) *Actual income.* Where a claim was disallowed, award deferred or made at a lower rate based on anticipated income, an award or increased award may

be made from the first of that calendar year if evidence is received within the same or the next calendar year showing the income was less than the statutory limitation or was within a lower income increment.

(ii) *Change in marital status.* Where a change in marital status occurs which would permit payment at a higher rate, the increased rate will be effective the date of receipt of the evidence showing the change in status. Income will be computed in accordance with § 3.251(g).

(2) *Pension—(i) Income—(a) Anticipated income.* Pension or increased pension may be awarded on the basis of anticipated income. Where a claim was disallowed, discontinued, or reduced for the prior year because the actual income exceeded the statutory limitation or was in an amount as to require payment at a reduced rate, an award or increased award may be effective January 1 of the next calendar year if evidence is received not later than that calendar year that the income will not exceed the statutory limitation or will fall within a lower income increment. Where there is doubt as to the extent of anticipated income, payment of pension may be withheld or paid at the lowest level consistent with the report of income. The withheld amount may be awarded when actual income is ascertained.

(b) *Actual income.* Where payment was deferred or award was made at a lower rate based on anticipated income, an award or increased award may be made from the first of that calendar year if evidence is received within the same or next calendar year showing the income was less than the statutory limitation or was within a lower income increment.

(ii) *Change in marital status or status of dependents.* Where a change in marital status or status of dependents occurs which would permit payment at a higher rate, the increased rate will be effective from the date of receipt of the evidence showing the change in status. In such cases income will be computed in accordance with § 3.252(e).

(iii) *Reduction in net worth or change in circumstances.* Where a claim has been disallowed because of the net worth provisions of 38 U.S.C. 522 or 543, and evidence is received of a reduction in net worth or a change in circumstances such as health, acquisition of a dependent, increase in rate of depletion of "corpus of estate", benefits will be paid from the date of receipt of the evidence.

6. The cross reference immediately following § 3.660 is deleted.

7. Section 3.661 is revised to read as follows:

§ 3.661 Income and net worth questionnaires.

(a) *Determination and entitlement.* (1) Where the questionnaire shows a

change in income, net worth, marital status, status of dependents or change in circumstances affecting the application of the net worth provisions, the award will be adjusted in accordance with § 3.660.

(2) Where there is doubt as to the extent of anticipated income payment of dependency and indemnity compensation or pension will be in accordance with § 3.660(b) (1) (i) (a) or (b) (2) (i) (a).

(b) *Failure to return questionnaire.* Discontinuance will be effective the first of the year for which the income or net worth was to be reported or the effective date of the award, whichever is the later date.

(1) *Adjustment of overpayment.* If evidence of entitlement is thereafter received adjustment in the retroactive discontinuance of benefits will be made for all periods of entitlement from the date of discontinuance of payments.

(2) *Resumption of benefits.* Payment may be made, if otherwise in order, from the date of last payment if evidence of entitlement is received within one year from the date the claimant is notified of the termination of pension; otherwise benefits may not be paid for any period prior to date of receipt of evidence establishing entitlement.

8. A new cross reference is added immediately following § 3.661.

CROSS-REFERENCE: Material change in income, net worth or change in status. See § 3.660.

(72 Stat. 1114; 38 U.S.C. 210)

These regulations are effective January 23, 1962.

[SEAL]

W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 62-721; Filed, Jan. 22, 1962; 8:48 a.m.]

PART 7—SOLDIERS' AND SAILORS' CIVIL RELIEF

Miscellaneous Amendments

1. In § 7.26, paragraph (d) is amended to read as follows:

§ 7.26 Application.

(d) Upon receipt of a report from the insurer on VA Form 9-381, the Chief Actuary, will determine if the policy is entitled to the protection of the act, and the insurer and the insured will be notified of the decision.

2. In § 7.29, paragraph (e) is amended to read as follows:

§ 7.29 Maturity.

(e) The statement of account will show the amount of indebtedness by reason of the premiums with interest and the credits, if any, then available

and will be subject to audit and approval by the Chief Actuary. The statement of account will include the rate of interest charged on all indebtedness, the dates of debit and credit entries, and such other information as may be deemed necessary in making an audit of the account. If there is a balance due by the United States to the insurer, payment in favor of the insurer will be certified. (72 Stat. 1114; 38 U.S.C. 210)

These regulations are effective January 23, 1962.

[SEAL]

W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 62-722; Filed, Jan. 22, 1962; 8:48 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket Nos. 13928, 12404 (RM-116, 139)]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Second Memorandum Opinion and Order; Correction

In the matter of amendment of Part 2, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations to align that part with the Geneva (1959) Radio Regulations to the extent practicable, Docket No. 13928; allocation of frequencies, amendment of Part 2 of the Commission's rules and regulations, Docket No. 12404; petition filed by Lorac Service Corporation, Tulsa, Oklahoma, May 1, 1959, RM-116; petition filed by Hastings-Raydist, Inc., Hampton, Virginia, September 22, 1959, RM-139.

The Second Memorandum Opinion and Order (FCC 61-1235) in the above-entitled matter, adopted by the Commission on October 18, 1961, is hereby corrected as follows:

Under Geneva footnotes to the table in § 2.106, enter the definition of Geneva footnote 182 in its proper numerical sequence.

(182) The frequency 410 kc/s is designated for the maritime radionavigation service (radio direction-finding). Other allocated services in the band 405-415 kc/s shall not cause harmful interference to radio direction-finding. In the band 405-415 kc/s no frequency shall be assigned to coast stations.

Released: January 17, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-742; Filed, Jan. 22, 1962; 8:51 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Coast Guard

[33 CFR Parts 126, 143]

[46 CFR Parts 2, 24, 25, 30, 31, 32, 33, 35, 38, 39, 43, 45, 51, 52, 54, 55, 56, 61, 70, 71, 72, 75, 76, 78, 90, 91, 92, 93, 95, 97, 98, 110, 111, 136, 146, 147, 160, 162, 167, 176, 181]

[CGFR 61-59]

NAVIGATION AND VESSEL INSPECTION REGULATIONS

Public Hearing on Proposed Changes

1. The Merchant Marine Council will hold a Public Hearing on Monday, March 12, 1962, commencing at 9:30 a.m., in the Departmental Auditorium, between 12th and 14th Streets on Constitution Avenue NW., Washington, D.C., for the purpose of receiving comments, views, and data on the proposed changes to the vessel inspection rules and regulations as set forth in Items I to IX, inclusive, of the Merchant Marine Council Public Hearing Agenda, CG-249, dated March 12, 1962. This agenda contains the changes proposed, and for certain items the present and proposed regulations are set forth in comparison form, together with the reasons for the changes where necessary.

2. This document contains a general description of the proposed changes in the navigation and vessel inspection regulations, together with the statutory authorities for making such changes. The complete description of the proposed changes are set forth in a separate pamphlet entitled "Merchant Marine Council Public Hearing Agenda" (CG-249), dated March 12, 1962. Copies of this pamphlet agenda are mailed to persons and organizations who have expressed a continued interest in the subjects under consideration and have requested that copies be furnished to them. Copies of the agenda will be furnished, upon request to the Commandant (CMC), United States Coast Guard Headquarters, Washington 25, D.C., so long as they are available. After the supply of extra copies is exhausted, copies will be available for reading purposes only in Room 4104, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

3. Comments on the proposed regulations are invited. If it is believed a comment, view, or suggestion clarifies or improves a proposed regulation or amendment, it is changed accordingly, and, after adoption by the Commandant, the revised regulation is published in the FEDERAL REGISTER. Each person who desires to submit written comments, views or suggestions in connection with the proposed regulations as set forth in the agenda should submit them so that they

will be received prior to March 9, 1962, by the Commandant (CMC), United States Coast Guard Headquarters, Washington 25, D.C. Comments, views or suggestions may be presented orally or in writing at the hearing before the Merchant Marine Council on March 12, 1962. In order to insure consideration of comments and facilitate checking and recording, it is essential that each comment be submitted on a separate Form CG-3287, showing the section number, the proposed change, the reason or basis, and the name, business firm or organization (if any), and the address of the submitter. A small quantity of Form CG-3287 is attached to each copy of the pamphlet agenda. Additional copies of this form may be obtained upon request from the Commandant (CMC) or from any Coast Guard District Commander, or it may be reproduced by typewriter or otherwise.

4. Each item in the agenda has been given a general title, intended to encompass the specific proposals presented. It is urged that each item be read completely because the application of proposals to specific employment or types of vessels may be found in more than one item. For example, Item V contains proposals applicable only to tank vessels, but Items III, IV, and VI also contain proposals affecting tank vessels.

ITEM I—RULES AND REGULATIONS FOR MILITARY EXPLOSIVES AND HAZARDOUS MUNITIONS

5. The regulations in 46 CFR 146.29-1 to 146.29-100 are applicable to the shipment of military explosives and hazardous munitions by, for or to the various agencies of the Department of Defense. These regulations apply when such shipments are made on commercial vessels which are subject to the Dangerous Cargo Statute in R.S. 4472, as amended (46 U.S.C. 170). The last revision of these regulations was published in 1958. In order to take care of all changes which have occurred since then, it is proposed to revise the regulations in 46 CFR 146.29-1 to 146.29-100, inclusive, and numerous editorial changes are proposed to make the language parallel to that used currently by the Interstate Commerce Commission and the Department of Defense. For example, words have been changed from "shell" to "cartridge" or "projectile" and "smokeless powder" to "propellant explosive."

6. It is proposed to change 46 CFR 146.29-11 (definitions and abbreviations) to differentiate between hazardous munitions which are fuels and oxidizers for missile propulsive systems when shipped with military explosives, and such fuels and oxidizers which may be shipped on a vessel not carrying military explosives. In the latter case, these different materials would be shipped under regulations in this part which are applicable to similar materials when moving in commercial shipments. The

definitions falling under related terms have been put in alphabetical order and a new definition has been added to define a "van."

7. It is proposed to amend 46 CFR 146.29-29 (smoking), to permit smoking aboard a ship in a special room designated for use by ship's personnel as a "smoking room" provided miscellaneous firefighting equipment is present, the portholes, vents, and doors are effectively screened, and an electric cigarette lighter is installed.

8. It is proposed to amend 46 CFR 146.29-41 (weight per draft), to specify the cargo handling gear requirements when lifting portable magazines and vans.

9. It is proposed to amend 46 CFR 146.29-57 ("on deck stowage") by adding new requirements to provide for the stowage "on deck" of military explosives in deck boxes, portable magazines, or vans.

10. It is proposed to amend 46 CFR 146.29-73 (preparation of magazines, decks, hatches and holds for handling military explosives) to require that overhead deck beams, as well as bilges, shall be examined and cleaned of any residue of previous cargo.

11. It is proposed to amend 46 CFR 146.29-75 (location of magazines and ammunition stowage) to permit stowage of chemical ammunition except Class II-J in refrigerator spaces under certain conditions.

12. It is proposed to amend 46 CFR 146.29-81 (magazine stowage A) to provide for uprights spaced on 24-inch centers in lieu of 18-inch centers when 3/4-inch plywood is used for the magazine bulkhead.

13. It is proposed to amend 46 CFR 146.29-89 (portable magazine stowage) to specify the stowage location for the portable magazine for compatibility purposes; to delete the requirement that wooden portable magazines be constructed watertight; to require that the magazines when stowed "on deck" be protected from the direct rays of the sun and the elements; and to require that the portable magazines be marked with the names of the military explosives stowed therein.

14. It is proposed to amend 46 CFR 146.29-93 (stowage of blasting caps, detonators, primer detonators, etc.) to except blasting caps stowed in portable magazines "on deck" from the requirement that Class VIII ammunition shall be stowed at least 8 feet from the vessel's side.

15. It is proposed to amend 46 CFR 146.29-99 (explosives admixture chart) to permit stowage of Class IV-A military explosives with other classes having a fire hazard only; and by deleting Class X-E compatibility.

16. It is proposed to amend 46 CFR 146.29-100 (classification handling and stowage chart) by changing the various classes to include new explosives; deleting items which are no longer in the De-

partment of Defense stock; providing for the use of portable magazines for those classes of military explosives requiring ammunition stowage; inserting a new Class IV-C to cover missiles shipped with liquid fuel and oxidizer; and deleting Class X-E because these items are no longer in service in the Department of Defense.

17. The authority for the dangerous cargo regulations is in R.S. 4405, as amended, 4462, as amended, and 4472, as amended (46 U.S.C. 375, 416, 170). These regulations also interpret or apply sec. 3, 68 Stat. 675 (50 U.S.C. 198); E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.

ITEM II—DANGEROUS CARGOES

18. Various amendments to the Dangerous Cargo Regulations in 46 CFR Part 146 have been necessitated by corresponding changes made in the regulations of the Interstate Commerce Commission governing land transportation of the same commodities. R.S. 4472, as amended (46 U.S.C. 170), requires that the Coast Guard accept and adopt such definitions, descriptions, descriptive names, classifications, specifications of containers, packing, marking, labeling and certification of explosives or other dangerous articles or substances to the extent as are or may be established from time to time by the Interstate Commerce Commission insofar as they apply to shippers by carriers engaged in interstate and foreign commerce by water. 46 CFR 146.02-19 makes these Dangerous Cargo Regulations applicable to all types of carriers. Therefore, amendments applying only to shippers' requirements upon which the Interstate Commerce Commission has already complied with the Administrative Procedure Act are not included in this Agenda for the 1962 Merchant Marine Council Public Hearing, but will be published as a separate document in the FEDERAL REGISTER.

19. Miscellaneous changes to the Dangerous Cargo Regulations are proposed to clarify certain requirements. The amendment to 46 CFR 146.02-22 (preservation of records) will specify that the Commandant's authorized representative may also procure records for examination. The new regulation designated 146.03-1 will define the abbreviation "MIN" as used in these regulations. The amendment to 46 CFR 146.03-19 (inside containers) will provide that inside containers and packing must meet the requirements of the ICC. The amendment to 46 CFR 146.04-5 (list of explosives and other dangerous articles and combustible liquids) will add new items to the commodity list. The amendments to 46 CFR 146.06-8 (handling on board vessels) are revised to make the requirements compatible with the regulations in 46 CFR 146.07 which apply to handling of dangerous cargo in vans and portable containers. The amendment to 46 CFR 146.08-10 (tank containers) will clarify the requirements and provide that railroad and highway vehicles equipped with tanks containing explosives or other dangerous articles or substances must be specifically permitted by the tables in this part in order to be transported on board

passenger ferry vessels. The amendment to 46 CFR 146.10-50 (stowage of explosives or other dangerous articles or substances on board barges) is amended to provide for the carriage of radioactive materials by barges.

20. In order to clarify requirements regarding explosives, various changes are proposed. The amendment to 46 CFR 146.20-17 (stowage of explosives in holds containing coal) will specify that the authorization must be granted by the Commandant. The amendment to 46 CFR 146.20-35 (handling explosives) will cancel requirements regarding the use of power-operated equipment since this subject is now in a new section.

21. It is proposed to amend 46 CFR 146.22-25 (exemptions for inflammable solids and oxidizing materials) by adding a new item to the list of nonexempted materials. The amendment to 46 CFR 146.22-30 (authorization to load or discharge ammonium nitrate and ammonium nitrate fertilizers) will permit certain ammonium nitrate products to be shipped in multiwall paper bags and ICC approved plastic bags enclosed in metal barrels or drums under the same conditions which apply to drums containing loose material. The changes in 46 CFR 146.22-100 (table E) will provide shipping requirements for new items contained in ICC Change Order No. 51 and permit the use of new containers now authorized by the ICC.

22. The proposed changes in requirements concerning compressed gases are intended to clarify shipping requirements. The amendment to 46 CFR 146.24-100 (table G) provides for the transportation of liquefied petroleum gas without designating the vapor pressures. The categories determined by the designated vapor pressures have been eliminated and one entry will be used. The container and filling requirements will be as determined by the ICC.

23. It is proposed to change the exemptions and stowage and handling requirements for radioactive materials in order that these requirements will be in line with the recommendations of the Federal Radiation Council. The changes in 46 CFR 146.25-25 (exemptions for radioactive materials) and 146.25-35 (stowage and handling of radioactive materials on board vessels) will establish limitations regarding exposures and will specify stowage requirements in terms of distance rather than by radiation intensities. The maximum permissible dose for a 7-day period is revised downward from 300 milliroentgens to 100 milliroentgens of gamma radiation or equivalent. This reduction is in line with the current Atomic Energy Commission limitation.

24. It is proposed to amend 46 CFR 146.26-5 (application of regulations governing combustible liquids) to make a specific reference to proposed new regulations in 46 CFR Part 98 (Cargo and Miscellaneous Vessels) which apply to the transportation of combustible liquids in portable cargo tanks.

25. It is proposed to amend 46 CFR 146.27-100 (table K) to require that the shipping papers for empty cylinders shall bear a statement of identification

of the most recent lading to permit ready identification of the residue in the event of a cylinder failure.

26. It is proposed to amend 46 CFR 147.05-100 (table S) to require that only slow burning cellulose acetate film be used as ships' stores and supplies.

27. The authority for dangerous cargo regulations is in R.S. 4405, as amended, 4462, as amended, and 4472, as amended (46 U.S.C. 375, 416, 170). These regulations also interpret or apply sec. 3, 68 Stat. 675 (50 U.S.C. 198); E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.

ITEM III—VESSEL OPERATIONS AND INSPECTIONS

IMMEDIATE REPORTING OF SPILLAGES, ETC., OF DANGEROUS MATERIALS OR LIQUIDS

28. The Coast Guard is assigned responsibility concerning the promotion of safety of life and property, including the protection of naval vessels, harbors, piers, and waters of the United States (see 14 U.S.C. 2, 88, 91; 50 U.S.C. 191; and Executive Order 10173, as amended). One responsibility arises in the inadvertent or accidental spillage of hazardous or dangerous materials, including combustible or inflammable liquids, which may create conditions endangering the vessel from which the spillage occurred, other vessels, or port facilities. The "SS Amoco Virginia" casualty, which occurred at Houston, Tex., on November 8, 1959, pointed up the need for the earliest possible notification of accidental spillage of any commodity which might create a hazard to safety. In this case, an early notification might have permitted measures, such as closing the channel, that would have prevented the ignition of the inflammable and combustible liquid on the water and the subsequent spreading of the fire to the "Amoco Virginia," two barges and dock facilities. This casualty resulted in the loss of 8 lives, injuries to 18 persons, and damage in excess of \$2,000,000.

29. It is proposed to add new regulations designated 46 CFR 35.15-7, 38.15-7, 39.15-7, 78.07-17, 97.07-17, 98.01-3, 136.04-1, and 146.02-35 as well as a similar requirement in 33 CFR 126.34 which are designed to provide immediate reporting of spillage, leakage, or discharge into the navigable waters of the United States of hazardous or dangerous material, including inflammable or combustible liquids, in any amount. Immediate reporting to the Coast Guard by the most expeditious means will permit early action to prevent or minimize damage or injury to vessels, harbors, or waters of the United States. The regulations in 46 CFR Chapter I, will apply to inspected vessels or vessels carrying regulated cargoes while the regulations in 33 CFR 126.34 will apply to all vessels (including foreign vessels and uninspected vessels), as well as to all piers, wharves, or waterfront facilities.

30. The authority to prescribe regulations requiring the immediate reporting of spillages, leakage, or discharge into the navigable waters of the United States of hazardous or dangerous materials, including inflammable or combustible liquids, is in R.S. 4405, as amended, and 4462, as amended, sec. 633, 63 Stat.

545; 46 U.S.C. 375, 416, 14 U.S.C. 633. Interpret or apply R.S. 4417a, as amended, 4450, as amended, 4472, as amended, sec. 1, 40 Stat. 220, as amended; 46 U.S.C. 391a, 239, 170, 50 U.S.C. 191; E.O. 10173, 15 F.R. 7005, 3 CFR, 1950 Supp., E.O. 10277, 16 F.R. 7537, 3 CFR, 1951 Supp. E.O. 10352, 17 F.R. 4607, 3 CFR, 1952 Supp.

MARINE CASUALTY INVESTIGATIONS

31. It is proposed to delete 46 CFR 136.07-40 and 136.07-42 which will remove from the regulations the present requirements for casualty investigations to be conducted jointly under the Marine Investigation Regulations in 46 CFR Part 136 and the Coast Guard Supplement, Uniform Code of Military Justice, whenever a Coast Guard vessel is involved in collision with a private vessel or whenever a marine casualty occurs within the scope of Coast Guard rescue operations and involves loss of life. The requirements of the regulations under the two procedures are not compatible and the deletion of 46 CFR 136.07-40 and 136.07-42 will serve merely to separate those functions. One of the principal purposes of an investigation under the Coast Guard Supplement, Uniform Code of Military Justice, is to inquire into and evaluate the effectiveness of existing operations, administrative and training procedures, and recommend ways and means for improvement. Frequently this necessitates collateral inquiries not bearing on the casualty itself. Coast Guard witnesses will continue to be made available in all investigations of marine casualties involving Coast Guard and private vessels as heretofore. This change will in no way modify the determinations required to be made by the investigative body as set forth in 46 CFR 136.07-1.

32. The authority to prescribe regulations for marine investigations is under R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4450, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 142, sec. 3, 68 Stat. 675; 46 U.S.C. 239, 367, 390b, 50 U.S.C. 198.

PREVENTION OF OIL POLLUTION

33. After the approval on August 30, 1961, of the Oil Pollution Act (Public Law 87-167) the United States Government deposited its ratification of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954. The proposed amendments to the Tank Vessel Regulations (CG-123), Marine Engineering Regulations (CG-115), Cargo and Miscellaneous Vessel Regulations (CG-257), and Nautical School Ships (CG-269), are intended to revise current requirements or add new requirements so that all vessels regardless of tonnage will be provided with means to prevent oil from being pumped overboard within prohibited zones in order to limit possibility for unintentional violations of the Oil Pollution Act of 1961 and the 1954 Convention, as well as the Oil Pollution Act of 1924. The change made to Subchapter D (tank vessels) by the addition of a regulation designated 46 CFR 32.50-17 will provide for the col-

lection of tank washings in tanks of adequate capacity on tank ships. The changes made to Subchapter F (marine engineering) by the addition of new regulations designated 46 CFR 55.07-25 and 55.10-35 and the changes made to 46 CFR 55.10-25 and 55.10-40 provide for the prevention of oil draining to the bilge in ships subject to these regulations. The change made in Subchapter I (cargo and miscellaneous vessels) by the addition of new regulations designated 46 CFR 93.13-1 to 93.13-10 will provide for the disposition of oily water ballast from ships of this type. The change made to Subchapter R (nautical schools) by the addition of a new regulation designated 46 CFR 167.20-35 will provide for the disposition of oily water ballast from nautical school ships.

34. The authority to prescribe regulations with respect to prevention of oil pollution is in R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4488, as amended, 41 Stat. 305, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675, sec. 8, 75 Stat. 404; 46 U.S.C. 391, 391a, 392, 404, 411, 481, 363, 367, 50 U.S.C. 198, P.L. 87-167; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.

PORTABLE CONTAINERS FOR COMBUSTIBLE LIQUID CARGOES

35. Requests have been received from various shippers and carriers for the use of large portable containers for combustible liquid cargoes to be transported on dry cargo vessels. The combustible liquids may be loaded either from shore hose connections after the portable tanks are secured in place or the cargo tanks may be filled ashore and lifted on and off the cargo vessels in a loaded condition. Under the provisions in 46 CFR 30.01-5 (tank vessels), dry cargo vessels may be granted a permit to carry liquid quantities of Grade D or E combustible liquid cargoes in bulk. Accordingly, the bulk movement of these grades of liquids has been authorized on certain cargo vessels subject to the provision that the portion of the vessel used for the carriage of combustible liquid cargo meets the requirement of Subchapter D (tank vessels) in addition to the requirements of Subchapter I (cargo vessels). However, the applicable regulations in Subchapters D and I are general in nature and do not prescribe specific requirements for tank design, testing and installations. Additionally, the requirements of the Tank Vessel Regulations for a fixed fire extinguishing system for cargo tanks do not appear to be practicable for the portable tank installations. The problem created by the shipment of combustible liquids on cargo vessels cannot be resolved by the application of the Dangerous Cargo Regulations since combustible liquids are not considered as regulated commodities on dry cargo vessels and therefore do not fall under the purview of such regulations.

36. As a guideline in establishing standards for portable containers, it was necessary to interpret the meaning of the phrase "drums, barrels, or other

packages" as used in the Tanker Act and the Dangerous Cargo Act, as well as the phrase "combustible liquid cargo in bulk" as used in these acts. These interpretative rulings were published in the FEDERAL REGISTER of October 25, 1961 (26 F.R. 9997 and 9998), and designated 46 CFR 30.01-20, 90.05-30 and 146.02-30. These interpretations read as follows:

a. The phrase "drums, barrels, or other packages" as used in the Tanker Act (R.S. 4417a, as amended, 46 U.S.C. 391a), and the Dangerous Cargo Act (R.S. 4472, as amended, 46 U.S.C. 170), is interpreted to include portable containers having a maximum capacity of 110 U.S. gallons, which are actually loaded and discharged from vessels with their contents intact.

b. The phrase "combustible liquid cargo in bulk" as used in the Tanker Act (R.S. 4417a, as amended, 46 U.S.C. 391a), and the Dangerous Cargo Act (R.S. 4472, as amended, 46 U.S.C. 170), is interpreted to include portable containers of a capacity of more than 110 U.S. gallons, whether or not such containers are actually loaded and discharged from vessels with their contents intact.

37. As there appeared to be a need for regulations to prescribe requirements for the design, construction, handling and stowage of large portable tanks to be used to transport combustible liquids on cargo vessels, the Coast Guard requested the American Merchant Marine Institute to help formulate such regulations. As a result, a Portable Cargo Tank Committee, formed under the sponsorship of the American Merchant Marine Institute, developed standards for such portable cargo tanks. The proposed amendments designated 46 CFR 98.30-1 to 98.30-45, inclusive, have been developed on the basis of the standards proposed by the American Merchant Marine Institute Portable Cargo Tank Committee. Cross-reference to the new regulations will be added to Subchapter D (tank vessels) and Subchapter N (dangerous cargo), which are designated 46 CFR 30.01-5 and 146.26-5 (see Item II).

38. The authority for regulations regarding portable containers for combustible liquid cargoes is in R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4417a, as amended, 4472, as amended; 46 U.S.C. 391a, 170.

INSPECTION OF FOREIGN VESSELS OF UNUSUAL DESIGN OR CONSTRUCTION

39. Because of the continued rapid advance in engineering techniques and applications, it has been evident, for the past several years, that new developments involving hazards not envisaged by international regulations or by existing shipbuilding design or construction standards, need to be given special consideration. In order to do this it is proposed to require the inspection of foreign vessels of unusual design or construction and involving potential unusual operating risks. The degree of inspection will be such as to provide that the risks of U.S. life and property when such vessels are in U.S. ports is not

greater than that which exists with vessels of more usual type. The potential need for the application of this principle is recognized by the provision of the 1960 Safety of Life at Sea Convention relative to nuclear ships which leave to each country the authority for accepting or rejecting the entry of such ships into their home waters. The proposed amendments or regulations designated 46 CFR 2.01-10, 2.01-13, 30.01-5, 70.05-3, 90.05-1, and 146.02-2(i) are considered necessary to provide for necessary inspection of foreign vessels of unusual design or construction and involving potential unusual operating risks.

40. The authority for the regulations regarding inspection of foreign vessels of unusual design or construction is in R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4417a, as amended, 4472, as amended, sec. 1, 40 Stat. 220, as amended; 46 U.S.C. 391a, 170, 50 U.S.C. 191; E.O. 10173, 15 F.R. 7005, 3 CFR, 1950 Supp., E.O. 10277, 16 F.R. 7537, 3 CFR, 1951 Supp., E.O. 10352, 17 F.R. 4607, 3 CFR, 1952 Supp.

VESSEL PLAN APPROVAL; VENTILATION AND HULL OPENING CLOSURES

41. The proposed revisions to 46 CFR Part 72 (construction and arrangement) are needed to clarify the requirements for ventilation and hull opening closures. The location of the means of operating the closures is required to be outside the space served by the system. This is a clarification of presently accepted practice. An editorial change for 46 CFR 72.10-5 includes passenger vessels carrying more than 150 passengers, a change made necessary by a recently published change to this Subchapter H (passenger vessels). These proposals are also in agreement with the action taken by the 1960 International Conference on Safety of Life at Sea. 46 CFR Part 71 (inspection and certification) is amended to include the field offices of Merchant Marine Technical Division, Coast Guard Headquarters, as authorized plan approval offices of the Commandant (MMT). This merely confirms present practice. 46 CFR Part 78 (operations) is amended to require that the location of ventilation fan shutdowns be shown on vessel's fire safety drawings. Since the shutdowns are part of the fire protection installation it is felt that their location on this drawing is needed for completeness. This change would also agree with the action taken in the 1960 International Conference on Safety of Life at Sea.

42. With respect to plan approval it is proposed to revise 46 CFR 71.65-15 and 71.65-20 to clarify requirements. Four copies of plans will be required. It is proposed to cancel 46 CFR 72.03-20 regarding segregation of spaces containing the emergency source of electrical power in order that requirements will be compatible with 46 CFR 72.05-5 and 72.05-10. The proposed amendment to 46 CFR 72.05-50 deals with ventilation systems and means for shutting them off. The proposed amendments to 46 CFR 72.10-5 and 72.10-25

are to clarify requirements regarding means of escape. It is proposed to amend 46 CFR 72.15-15, regarding ventilation, for closed spaces to provide for control of ventilating systems. The proposed amendment to 46 CFR 78.45-1, regarding display of plans, will require that plans required to be displayed on vessels shall show the locations of the remote means provided for stopping the fans.

43. It is proposed to add a new paragraph to 46 CFR 91.55-5 which will require submittal of general arrangement plans showing the arrangement or locations of the firefighting and fire-protection features of the vessel. This is standard practice on many new vessels and is considered necessary for ready reference to new crew members. The proposed change will agree with action taken by the 1960 International Conference on Safety of Life at Sea. A change to 46 CFR Part 97 (operations) would require posting of these plans. 46 CFR Part 91 (inspection and certification) is amended to include the field offices of Merchant Marine Technical Division, Coast Guard Headquarters, as authorized plan approval offices of the Commandant (MMT). This merely confirms present practice. A requirement for submitting four copies of each plan has been included as an amendment to 46 CFR 91.55-20. Four copies will be required when plan action is handled by a field office. It is proposed to amend 46 CFR Part 92 to require that means be provided for stopping ventilation fans and closing off all openings into the interior of the vessel. This is a clarification of presently accepted practice and agrees with the action taken by the 1960 International Conference on Safety of Life at Sea.

44. The proposed amendment to 46 CFR 91.55-5 deals with plan approval for structural fire protection required for cargo vessels of 4,000 gross tons and upward. The proposed amendment to 46 CFR 91.55-15 and 91.55-20 clarify requirements for submittal of plans to field technical offices. The proposed amendment to 46 CFR 92.15-10 deals with control of ventilation systems for closed spaces. The proposed regulation designated 46 CFR 97.36-1 will require posting of fire control plans on all self-propelled vessels and all barges with sleeping accommodations for more than 6 persons.

45. The authority for these regulations is in R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 3, 24 Stat. 129, 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 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 363, 85a, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

DRYDOCKING OR HAULING OUT VESSELS; AUTHORIZING ADMINISTRATIVE EXTENSIONS OF TIME

46. It is proposed to provide authority for the Commandant to permit extension of drydocking intervals under certain conditions by amendments to 46 CFR 31.10-20, 71.50-1, 91.40-1 and 176.15-1.

47. The authority to prescribe regulations regarding drydocking of vessels is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

GAS FREEING, INSPECTION AND TESTING REQUIRED WHEN MAKING ALTERATIONS, REPAIRS, ETC., INVOLVING HOT WORK

48. The regulation changes and additions proposed under this item will revise 46 CFR 35.01-1, 71.60-1 and 91.50-1. These changes are the result of study into casualties resulting in loss of life and involving inadequate or improper practices and procedures of gas freeing and related tests and inspections, including the maintenance of a safe condition throughout the operation, and other casualties where preservative coatings were applied to surfaces. These proposals are believed to be sufficiently broad to permit compliance with the existing organization and operating procedure of practically all shipyards and repair facilities. They are considered to be timely because of the increasing use of preservative coatings. These proposals were on the agenda of the Public Hearing of the Merchant Marine Council which was held on March 24, 1961. At that time requests were received for further time to study these proposals and this was granted. Notice was published in the FEDERAL REGISTER of September 30, 1961 (26 F.R. 9254), that these proposals were being studied further and that the revised proposals would be placed on the 1962 Merchant Marine Council Public Hearing Agenda.

49. The authority to prescribe regulations regarding gas freeing, inspection and testing of holds, etc., in which hot work will be performed, is in R.S. 4405, as amended, 4462, as amended, and 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, secs. 1 and 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 367, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

INSPECTION AND CERTIFICATION OF SEAGOING BARGES

50. The regulations in 46 CFR 90.05-25 (cargo and miscellaneous vessels) by its present wording which defines a "seagoing barge of 100 gross tons or over," makes the design or construction of such

barge a governing factor in determining whether it is subject to inspection and certification as a seagoing barge. This resulted in barges that do in fact navigate the high seas, although not designed to do so, being exempt from inspection insofar as the regulations have been concerned, as long as they returned to the port of departure from the high seas and did not touch at any other port. This situation applies particularly to scows and barges which carry debris, etc., beyond inland waters to the high seas for dumping and then return to port. Accordingly, it is proposed to amend 46 CFR 90.05-25 to do away with present inconsistencies regarding inspection of seagoing barges and more accurately reflect the intent of Congress as expressed in the Act of May 28, 1908, as amended by the Act of June 4, 1956 (46 U.S.C. 395(b)) and to place in 46 CFR 90.10-36 a definition of "seagoing barge." It is recommended that the proposed 46 CFR 90.10-36 will become effective on publication in the FEDERAL REGISTER and that the other proposed changes will become effective January 1, 1964. The effect of this amendment will be that all non-self-propelled vessels of 100 gross tons and over that in fact navigate the high seas or ocean will now be subject to inspection and certification, regardless of whether or not designed for service on the high seas and whether or not another port is visited. In addition, an amendment to 46 CFR 91.01-10 (certificate of inspection) is proposed in order to provide in these regulations for a limited certificate of inspection for certain non-self-propelled vessels of 100 gross tons and over proceeding on the high seas or ocean for the sole purpose of changing place of employment or making rare or infrequent voyages on the high seas or ocean and returning to the port of departure.

51. The authority to prescribe regulations regarding inspection and certification of seagoing barges is in R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply sec. 10, 38 Stat. 428, as amended; 46 U.S.C. 395.

INSPECTION AND CERTIFICATION OF MANNED SEAGOING BARGES

52. At the 1961 Coast Guard Western Area Conference on COTPMMS matters the subject of seagoing barges, which in fact are over 100 gross tons in size in terms of Custom measurement standards when considered without ballast exemption, was discussed. It was recommended to the Commandant that a regulation be promulgated so that an administrative determination could be made by the Commandant that such barges be made subject to all the various inspection regulations applicable to "seagoing barges of more than 100 gross tons." Therefore, it is proposed to amend 46 CFR 90.05-25 to enable the Commandant to make a determination that a seagoing barge which is manned is 100 gross tons or over, and therefore subject to inspection, when the gross register tonnage is not a valid criterion of the size of the seagoing barge.

53. The authority to prescribe regulations regarding inspection and certifica-

tion of manned seagoing barges is in R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply sec. 10, 38 Stat. 428, as amended; 46 U.S.C. 395.

OXYGEN-TYPE BREATHING APPARATUS

54. Present regulations require one unit of self-contained breathing apparatus to be stowed at each end of a liquid chlorine barge. Should a casualty occur or a leak develop, it may not be possible to reach either. The likelihood of such an incident is greater during the critical period of filling or discharging. To assure ready availability of a breathing apparatus during this critical period, the proposed amendment to 46 CFR 98.20-70 will permit self-contained air-type as well as self-contained oxygen-type breathing apparatus to be carried. It will also require equipment that can be started and operated in the temperatures encountered, and to require at least one member of the operating party to have a self-contained breathing apparatus on his person during filling or discharge operations.

55. Present regulations in 46 CFR Part 98 require one ammonia gas mask to be stowed at each end of an anhydrous ammonia barge. Should a casualty occur or a leak develop, it may not be possible to reach either gas mask. The likelihood of such an incident is greatest during the critical period of filling or discharging. To assure ready availability of an ammonia gas mask during this critical period, the proposed amendment to 46 CFR 98.25-90 will require at least one member of the operating party to have an ammonia gas mask on his person during filling.

56. The authority to prescribe regulations regarding breathing apparatus on liquid chlorine and anhydrous ammonia barges is in R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. These regulations also interpret or apply sec. 3, 68 Stat. 675, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

AUTOMATIC LIFT TOILET SEATS

57. It is no longer considered necessary to require that toilet seats shall be so constructed as to remain in an upright position when not in use. Therefore, it is proposed to delete this requirement from 46 CFR 32.40-1(d), 72.20-25(e), 72.20-90(d), 92.20-25(e), and 92.20-90(d).

58. The authority to prescribe regulations regarding accommodations is in R.S. 4405, as amended, 4417a, as amended, and 4462, as amended; 46 U.S.C. 375, 391a, 416.

ITEM IV—LIFESAVING AND FIRE PROTECTION

PAINTING OF LIFEBOAT INTERIORS

59. Effective January 1, 1961, the regulations required that the interiors of certain lifeboats be painted or colored international orange while the control handles for mechanical disengaging apparatus when used are required to be painted or colored red. This color scheme of international orange for lifeboat interiors and red for the mechanical disengaging gear control lever does not provide a satisfactory color con-

trast. Therefore, it is proposed to amend 46 CFR 33.25-5 (tank vessels), 78.47-60 (passenger vessels), 97.37-37 (cargo and miscellaneous vessels), 160.035-2 (lifeboat specification), and 167.37-25 (nautical school ships), when a mechanical disengaging apparatus is installed in a lifeboat, that a small area of the lifeboat interior, in way of the red mechanical disengaging gear control lever, shall be painted or otherwise colored white in lieu of the international orange, so as to provide a contrasting background for the red control handle. In addition, it is proposed to amend 46 CFR 33.25-5 (tank vessels) and 167.35-25 (nautical school ships), to require that an appropriate danger sign be on the control handles for mechanical disengaging apparatus when used. These proposals will be applicable to both existing lifeboat installations using mechanical disengaging apparatus and new installations, and when adopted will be in effect on and after 90 days after these regulations are published in the FEDERAL REGISTER.

60. The authority to prescribe regulations regarding lifeboats is in R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

DISTRESS SIGNALS ON PASSENGER VESSELS UNDER 100 GROSS TONS

61. Passenger vessels not exceeding 65 feet in length, operating in coastwise service, are required to provide 6 hand-held red flare distress and 6 hand-held orange smoke distress signals or 12 hand combination flare and smoke distress signals (46 CFR 180.35-5). Those passenger vessels over 65 feet in length and under 100 gross tons, operating in coastwise service, are required to provide 12 hand-held, rocket-propelled, parachute red flare distress signals (46 CFR 75.90-5). This proposal will amend 46 CFR 75.90-5 to permit the use of the same pyrotechnic signals on passenger vessels over 65 feet in length and under 100 gross tons, operating in coastwise service, as permitted on passenger vessels not exceeding 65 feet in length and subject to 46 CFR 180.35-5. At present these vessels have a temporary authorization permitting this substitution. While this proposal is a relaxation so far as expense is concerned, it is not considered a relaxation in safety standards. The hand-held red flare distress and hand-held orange smoke distress signals are considered sufficient and satisfactory for these passenger vessels when operating in the coastwise service.

62. The authority to prescribe regulations for distress signals on passenger vessels under 100 gross tons and over 65 feet in length is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4426, as amended, 4491, as amended, sec. 3, 54

Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 404, 489, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

SPECIFICATION FOR UNICELLULAR PLASTIC RING LIFE BUOY

63. It is proposed to revise the specification subpart 46 CFR 160.050 for the unicellular plastic ring life buoy in its entirety and to bring it up to date. The proposed amendments to 46 CFR 160.050-1 to 160.050-5, inclusive, will delete the use of nonsynthetic rigging materials (due to poor performance in the field) and permit the substitution of synthetic materials for rigging, will amplify the existing regulations as to production sampling and testing procedures, and will make editorial or other minor changes to bring the specification requirements up to date.

64. The authority to prescribe regulations regarding life buoys is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4417a, as amended, 4426, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 489, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

SPECIFICATIONS FOR DISTRESS SIGNALS

65. With respect to the distress signal specifications which manufacturers of such approved equipment must follow, it is proposed to require the manufacturers of such signals to pay the costs of preapproval testing of distress signals. To accomplish this it is proposed to amend 46 CFR 160.021-7, 160.022-6, 160.023-7, 160.024-7, 160.036-7, and 160.037-7, which describe procedures for approval, to include a requirement for the manufacturer to pay the costs of preapproval testing distress signals submitted. It has been found that certain signal pistols and cartridges containing parachute red flare distress signals have not operated satisfactorily when the pistols and cartridges were manufactured by different companies. If replacement cartridges containing parachute red flare distress signals must be from the manufacturer of the signal pistol carried on board the vessel in order to assure satisfactory operation of such signal equipment, it is felt that this condition defeats the purpose for requiring such equipment and places an undue burden on the vessel operators and inspectors to have to check for such details. On reviewing the specification requirements for such equipment it was found that existing regulations do not provide construction limits which will assure interchangeability of pistols and cartridges. Therefore, it is proposed to amend 46 CFR 160.024-3 and 160.028-3 by appropriately defining construction limits. With respect to the equipment for the shoulder gun-type line-throwing appliance, it is proposed to amend the specification requirements in 46 CFR 160.031-4 to require that the service lines

shall be of woven or braided nylon in lieu of linen or cotton, and each line shall be 600 feet long with a breaking strength of not less than 140 pounds.

66. The authority to prescribe regulations regarding distress signals is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4417a, as amended, 4426, as amended, 4491, 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. 391a, 404, 489, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

FIRE PROTECTION EQUIPMENT

67. It is proposed to add requirements to 46 CFR 25.30-10 (uninspected vessels), 75.50-10 (passenger vessels), 95.50-10 (cargo and miscellaneous vessels), and 181.30-10 (small passenger vessels) making it mandatory that nonfreezing type extinguishers be used in locations where freezing temperatures are expected. It is proposed to amend 46 CFR 76.15-5 (passenger vessels), 95.15-5 (cargo and miscellaneous vessels), and 181.20-20 (small passenger vessels) to increase the maximum quantity of carbon dioxide required from "200 pounds" to "225 pounds" where the system has a minimum nominal pipe size of $\frac{3}{4}$ inch. This proposal regarding carbon dioxide will bring Coast Guard requirements into agreement with the recommendations of the National Fire Protection Association as set forth in their pamphlet No. 12.

68. The authority to prescribe regulations regarding fire protection equipment is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4426, as amended, 4491, 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. 404, 489, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

PORTABLE FIRE EXTINGUISHERS

69. It is proposed to revise the regulations governing portable fire extinguishers to clarify and bring up to date the requirements for their inspection, marking, materials, and design features. The proposals also provide for new models of extinguishers found to be satisfactory for marine use.

70. For extinguishers which utilize a disposable nonrefillable container to store both the extinguishing agent and expellant pressure and not fitted with a pressure gage, the proposals include requirements regarding markings, maintenance, descriptions of checks which may be used to determine if the extinguishers need to be reweighed or if disposable container needs to be replaced, and inspections. For such extinguishers it is proposed to also require the manufacturers to state where their reweighing to the manufacturer's standards once in each six months can be done. To accomplish this it is proposed to amend 46 CFR 71.25-20 (passenger ves-

sels), 91.25-20 (cargo and miscellaneous vessels), and 176.25-25 (small passenger vessels) to provide inspection procedures for portable extinguishers of the dry chemical disposable container type and not fitted with a pressure gage. The amendments proposed to 46 CFR 162.028-3 (material specifications for extinguishers) will require the additional information and instruction markings required on stored pressure chemical extinguishers having disposable nonrefillable containers without pressure gages, as well as the nameplate markings required on replacement containers.

71. It is proposed to discontinue the permissibility of thinly applied platings of corrosion-resistant materials, such as cadmium, nickel, or chrome, for the protection of exposed ferrous parts of extinguishers by deleting this permission from 46 CFR 160.028-3 (material specifications for portable fire extinguishers). This proposal is based on 1 year exposure tests which showed that such thinly applied coatings do not provide suitable protection from corrosion.

72. It is proposed to cancel and remove from 46 CFR 162.028-3 the requirement that carbon dioxide-type extinguishers have a list of authorized recharge agents attached. This proposal is made because such lists are no longer considered to be necessary. Suitable recharging services for carbon dioxide extinguishers are now widely available, and may be easily located by consulting the yellow pages of a telephone directory of a large town or city.

73. It is proposed to cancel and remove from 46 CFR 162.028-3 the requirement that foam type extinguishers be fitted with a safety relief device. This proposal is based on the fact that currently the foam recharges available on the commercial market are sufficiently standardized so that excessive pressures will not occur if the wrong recharge should be placed and used in a foam-type extinguisher. This requirement for a safety relief device was originally based on the problem that there were rather wide differences in foam extinguisher design and construction which resulted in wide differences in the formulation and composition of the charges used.

74. The authority to prescribe regulations regarding portable fire extinguishers is in R.S. 4405, as amended, 4462, as amended, 4488, as amended; 46 U.S.C. 375, 416, 481. These regulations also interpret or apply R.S. 4417a, as amended, 4426, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 8, 17, 54 Stat. 165, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 489, 367, 526g, 526p, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

ITEM V—TANK VESSELS

VENTING OF COFFERDAMS

75. It is proposed to clarify 46 CFR 32.55-45 by specifically providing that voids adjacent to cargo tanks shall be fitted with vents. This section is a source of controversy between the Coast

Guard and the tank barge design agents. The designers contend that rake compartments and voids are not cofferdams, neither as defined by 46 CFR 30.10-13, nor in nautical dictionaries. Under their interpretation, flame screens are not required on rake or void vents. The Coast Guard follows the policy that while rake compartments and voids are not literally defined as cofferdams, they serve the same purpose and for all practical application are cofferdams and their vents will require flame screens. While this proposal appears to be retroactive in effect, it is felt that in fact it will not be because it expresses in words the present practice followed by the Coast Guard.

FIRE RETARDANT CONSTRUCTION

76. It is proposed to clarify the intent of the present regulations and to set forth a minimum standard of structural fire protection for new tank vessels in new regulations designated 46 CFR 32.57-1 to 32.57-10, inclusive, and by amendments to 46 CFR 32.60-1 and 32.60-25. For the greater part, these requirements are in general agreement with present practice, being an amplification of the information contained in Navigation and Vessel Inspection Circular No. 9-56. In addition, as one of the most important features of fire control is the elimination of drafts and flue effects, it is proposed to require means for closing off stairway openings. The regulations are to be further amended to prohibit the use of nitrocellulose-type motion picture film by a new proposal designated 46 CFR 35.30-40. Inasmuch as many of these proposals are also in general agreement with the 1960 Safety of Life at Sea Convention, little additional modification to these regulations will be required when the convention is ratified.

PUMP ROOM VENTILATION

77. The Committee on Tank Vessels of the American Petroleum Institute recommended a proposal regarding pump room ventilation. This proposal designated 46 CFR 32.60-20 revises minimum requirements for pump room ventilation on tank vessels, the construction or conversion of which is started on or after January 1, 1963. This proposal is the result of a lengthy study by an API Tanker Committee Group on Pump Room Ventilation. Certain other changes in 46 CFR 32.60-20 are proposed and they are primarily editorial in order to incorporate the proposal into the regulations.

EMERGENCY LIGHTING AND POWER SYSTEMS

78. The proposed changes designated 46 CFR 35.07-10(b)(8) and 35.10-15 will add new requirements pertaining to the testing of emergency lighting and power systems. This proposal will impose an additional operating requirement on the marine industry. The actual operation of the emergency installation and the recording of the facts

pertaining to such operation will be required. Tank vessels are now required to have emergency lighting and power systems, but there are no requirements for testing of these systems. Periodic operation and inspection of machinery and equipment that is usually idle is considered to be good engineering practice. The master will be responsible for the operating and inspection of the emergency system and will be responsible for the logging of the facts pertaining to the test. This test and inspection may be done by the ship's crew or by shore personnel. In Chapter II, Reg. 26(a)(v) and 26(b)(iii), 1960 Safety of Life at Sea Convention, it is required that provision be made for the periodic testing of the complete emergency installation.

FREEBOARD FOR TANKERS ABOVE 600 FEET IN LENGTH

79. It is proposed to amend 46 CFR 43.30-70 (load lines) to revise the basic minimum freeboard for tank vessels above 600 feet in length to permit the maximum drafts consistent with the Load Line Convention obligations and with safety requirements. Rule CVI of Annex I to the International Load Line Convention, 1930, gives the basic freeboards for tankers up to and including 600 feet in length and provides that "... ships above 600 feet are to be dealt with by the Administration." It thus leaves to each contracting government discretion to adopt a consistent and suitable extension of values for vessels above 600 feet in length. The lesser freeboards now proposed are considered to be substantiated by recent experience with large tankers, as well as by the wartime experience with ordinary size tankers operating at freeboard less than those permitted by Rule CVI. While they do not represent as great a reduction as that advocated by the U.S. Committee on Load Lines, they are considered to represent the maximum reductions in freeboard which are possible prior to modification of the present Load Line Convention. These proposed freeboards fair between the present value for a length of 600 feet to a curve agreed upon by the classification societies, at their 1959 meeting, at a length of about 800 feet, and are thence upwards in agreement with the values recommended by the classification societies. They are essentially in agreement with revised values which have already been adopted by the Japanese Ministry of Transportation, and possibly, by other foreign governments.

The authority for prescribing regulations governing tank vessels is in R.S. 4405, as amended, 4417a, as amended, and 4462, as amended; 46 U.S.C. 375, 391a, 416. These regulations also interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; and E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. The authority for prescribing regulations governing load line regulations for tank vessels is in sec. 2, 45 Stat. 1493, as amended, and sec. 2, 49 Stat. 888, as amended; 46 U.S.C. 85a, 88a.

ITEM VI—MARINE ENGINEERING

MATERIALS—MAXIMUM ALLOWABLE STRESSES, UNFIRED PRESSURE VESSELS, VALVES, FITTINGS, WELDING, AND STRESS RELIEVING

81. It is proposed to amend or add requirements to 46 CFR 51.01-10, 51.01-30, 51.04-1, 51.13-1, 51.22-1, 51.23-1, 51.24-1, 51.25-1, 51.34-1, 51.46-1, 51.49-1, 51.58-1 and 51.90-1, together with associated changes amending 46 CFR 52.05-10, 54.03-1, 55.07-10, 55.07-15, 56.01-70, and 56.05-5, so that Marine Engineering Regulations will be in substantial agreement with the latest editions of the American Society of Mechanical Engineers' (ASME) Boiler and Unfired Pressure Codes for ferrous materials and plastic pipe, and the American Society of Testing Materials' (ASTM) material standards. The proposed revisions to 46 CFR Part 1 (materials), and the associated changes to 46 CFR Parts 52 (construction), 54 (unfired pressure vessels), 55 (piping systems and appurtenances), and 56 (arc welding, gas welding, and brazing), which make reference to material requirements, include the currently accepted material specifications approved by ASTM and ASME. These specifications have been added to permit wider usage of these approved standards for merchant marine application in the fabrication of boilers, unfired pressure vessels and piping. New material standards include plate, forgings, castings, and pipe of carbon and alloy steel grades and of corrosion resistant properties, as well as materials for low temperature application. Additional allowable stresses meeting ASME Code requirements have been incorporated in 46 CFR Part 52 (construction) to cover the new material. In general, these proposals are considered to be relaxations as they permit the marine industry to use a greater variety of acceptable industrial material standards for merchant ships.

82. It is proposed to amend 46 CFR 52.05-15 (seamless pipe shells) in order to remove the limitation on unfired pressure vessels for seamless shells. The proposal amending 46 CFR 52.20-15 (detail requirements for dished heads) will make allowances in the design of hemispherical heads for their greater strength, when compared to dished heads of other forms. The proposed amendment to 46 CFR 55.07-1 (material) will permit the use of cast iron in liquid and gas services for use at 150 pounds as desired by industry. This constitutes a relaxation and is permitted in ASA B16. 1-60 noted in 46 CFR 55.07-15(e). It is also proposed to revise 46 CFR 55.07-1 in order to provide for the preservation of watertight integrity of subdivision bulkheads when using plastic pipe. The proposed change to 46 CFR 55.07-10 (valves and fittings) will make these requirements applicable to butterfly and/or wafer type valves by providing a minimum design pressure leak tightness criteria. It is proposed to revise 46 CFR 55.10-25 (bilge and ballast piping) so that these requirements will be more reasonable and practical for vessels

above but near 65 feet in length and not over 150 gross tons in size. It is proposed to amend 46 CFR 55.10-30 (bilge pumps) so that the bilge pump capacity requirements for dry cargo and tank vessels less than 65 feet in length will be less severe than required under present regulations but equal to that now required for small passenger vessels operating over the same routes. It is proposed to amend 46 CFR 61.20-25 (boilers of foreign-built vessels) to clarify requirements by stating that Coast Guard approved safety valves will be required on boilers of foreign-built vessels when admitted to American registry. These valves are to be approved in accordance with 46 CFR Subpart 162.001 of Subchapter Q (Specifications).

USE OF FLEXIBLE HOSE

83. It is proposed to amend 46 CFR 55.07-1 (materials) and 55.17-25 (hydraulic hose and fittings) to carry out proposals recommended by industry. The proposed revisions to Part 55 (piping systems and appurtenances) will permit the use of flexible hose in cooling water systems to machinery fitted with duplicate piping systems, and will permit flexible hose to penetrate watertight bulkheads provided a metallic spool piece and remotely controlled valve are fitted at the bulkhead. Also, these proposed revisions would permit short lengths of flexible hose to be installed in fuel and lubricating lines at or near all machinery units where flexibility is required. In certain circumstances it will permit the use of larger lengths of flexible hose where required for proper operation of the system.

VENT OPENING CLOSURES

84. It is proposed to amend 46 CFR 55.10-60, 43.10-80, and 45.10-77 regarding vent closures. This proposal will clarify the phrase regarding "satisfactory means" to be provided for vent closures in both the Marine Engineering Regulations and the Load Line Regulations. This term "satisfactory means" as used in these regulations has been interpreted to require both a ball check valve and a cover. The intent of the regulation is to require only one device which will assure effective closure. The proposals to revise 46 CFR 55.10-60 in the Marine Engineering Regulations and 46 CFR 43.10-80 and 45.10-77 in the Load Line Regulations will bring into substantial agreement requirements regarding vent opening closures.

UNFIRED PRESSURE VESSELS; SHOP INSPECTIONS AND INSPECTIONS ON VESSELS

85. It is proposed to amend 46 CFR 54.01-1 and 61.25-20 to change the scope of application of Marine Engineering Regulations so as to include inspection of unfired pressure vessels when the Coast Guard conducts annual or biennial inspections. The unfired pressure vessels will be still exempt from shop inspections.

BOILER MOUNTINGS AND ATTACHMENTS

86. It is proposed to amend 46 CFR 61.20-20, regarding boiler mountings and attachments, to permit the Officer in Charge, Marine Inspection, to dispose

with the required periodic removal of boiler mountings in those cases wherein a satisfactory examination of the mountings and their means of attachment can be made without removal. The wording of the present regulation requires that all boiler mountings be removed from the boiler after each 8 years of service for examination of the studs or bolts connecting them to the boiler and to permit examination of those parts of the valves, boiler mountings, and attachments which are not susceptible to examination by simply opening up the valves. There is no provision for any latitude on the part of the Officer in Charge, Marine Inspection, in those cases where periodic removal of boiler mountings may be unnecessary. In the case of older type boilers (scotch, fire tube, etc.) where boiler mountings are attached either directly to the boiler plates by studs and nuts, or bolts which are screwed directly into the boiler plate or into a reinforced pad attached directly to the boiler, the periodic removal of boiler mountings is considered essential. However, in the case of the more modern boilers, mountings are usually bolted to flanged nozzles which are welded directly to the boiler plates or headers. Where this method of attachment is used, the bolts or studs can usually be satisfactorily examined without removing the mountings from the boiler and an effective internal examination can usually be made by simply opening up the mountings.

87. The regulations with respect to marine engineering and material specifications are issued under R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations also interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4472, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 1544, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 404-409, 411, 412, 435, 481, 489, 498, 506, 526p, 1333, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp. The authority to prescribe load line regulations is in sec. 2, 45 Stat. 1493, as amended, and sec. 2, 49 Stat. 838, as amended; 46 U.S.C. 85a, 88a.

ITEM VII—ELECTRICAL ENGINEERING

88. The proposed changes to 46 CFR 110.10-1, 111.50-20, 111.60-10, and 111.65-45 are intended to bring these requirements up to date and into agreement with reference standards. In general, the proposed changes do not impose additional requirements on industry. In some cases the proposed changes will permit wider latitude by reducing the requirements governing particular installations.

89. The regulations with respect to electrical engineering are issued under R.S. 4405, as amended, and 4462, as amended; 46 U.S.C. 375, 416. These regulations 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 and 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. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 395, 363, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.

ITEM VIII—UNINSPECTED VESSELS

MEASURING LENGTH OF MOTORBOATS

90. It is proposed to revise 46 CFR 24.10-17 by adding an interpretive ruling concerning the measurement of the length of motorboats. The present requirements state that the length of a motorboat "shall be measured from end to end over the deck excluding sheer." This regulation is subject to varying and sometimes conflicting interpretations in the case of motorboats of open construction, or which are partially decked over, or have more than one deck. The proposed interpretation will standardize the method of measurement, without regard to decks. It will provide for a straight line measurement from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline.

PORTABLE FIRE EXTINGUISHERS FOR ALL MOTORBOATS

91. It is proposed to amend 46 CFR 25.30-20 to require fire extinguishers on all motorboats, regardless of type of propulsion or construction. The basic change in the regulations will be to cancel the exemption regarding portable extinguishers for outboard motorboats of less than 26 feet in length, of open construction, and not carrying passengers for hire. If adopted, this means that for the 1962 boating season and in the future, all motorboats (regardless of construction or propulsion) will be required to carry portable fire extinguishers.

92. It is proposed to amend 46 CFR 25.40-1, regarding ventilation of fuel tank compartments, to require ventilation of bilges in outboard motorboats which have fuel tanks or containers in closed compartments in the hull. This proposal will require adequate ventilation of bilges and closed compartments within the hulls in outboard motorboats when fuel tanks and fuel containers are stowed or carried on board. Coast Guard statistical reports on boating accidents for the period from March 1959 to June 1961 show that 42 outboard motorboats experienced "fire or explosion of fuel" type casualties. A study of the individual reports indicates that the introduction of the "portable" tanks, pressure feed, plastic fuel lines, batteries and generators, has materially increased the hazards from fire and explosion in outboard motorboats. These potentially hazardous items were normally not carried in outboard motorboats prior to the introduction and accepted use of the

detached fuel tank. Therefore, until recently there was no need for any ventilation requirements for fuel tank compartments in outboard motorboats as fuel tanks were integral with the motors and carried outside the hulls of the vessels.

93. The authority to prescribe regulations regarding uninspected vessels (motorboats) is in R.S. 4405, as amended, 4462, as amended, and secs. 8, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 375, 416, 526g, 526p.

ITEM IX—ARTIFICIAL ISLANDS AND FIXED STRUCTURES ON THE OUTER CONTINENTAL SHELF

94. It is proposed to amend 33 CFR 143.05-1, 143.05-5, and 143.05-10 regarding emergency means of escape from artificial islands and fixed structures. These proposals were initiated as a result of the recommendations by the Marine Board of Investigation which investigated an explosion and fire on the "Offshore Platform Timbalier Block 134-01," Gulf of Mexico, July 26, 1959, with loss of life. It was the opinion of the Board as a result of the casualty that present regulations regarding means of escape required clarification. The Board determined that in this casualty there was only one means of escape from the quarters level to the rig floor but that there were two fixed stairways from the rig floor to the surface of the water. Since the terminology of the oil industry describes the platform as the structure on which the drilling rig and equipment are placed, this platform had two means of escape. Therefore, the purpose of this proposal is to amend regulations so that two means of escape are required from each level to the surface of the water. These proposals were considered and endorsed by the National Offshore Operations Panel at its meeting on February 7, 1961, at Washington, D.C.

95. The authority to prescribe regulations regarding artificial islands and fixed structures is in sec. 633, 63 Stat. 545; 14 U.S.C. 633. These regulations interpret or apply sec. 4, 67 Stat. 462; 43 U.S.C. 1333.

Dated: January 12, 1962.

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

[F.R. Doc. 62-731; Filed, Jan. 22, 1962;
8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 26]

GRAIN SORGHUM

Official Grain Standards of the United States; Notice of Proposed Rule Making

Correction

In F.R. Doc. 62-368 appearing at page 409 of the issue for Saturday, January 13, 1962, the table in § 26.553 is corrected

by changing the second entry under the Percent column headed "Heat-damaged kernels" to read ".5".

[9 CFR Part 201]

REGULATIONS UNDER PACKERS AND STOCKYARDS ACT

Notice That Amendments to Registration and Bonding Regulations and Related Regulations Are Under Consideration

On September 28, 1961, there was published in the FEDERAL REGISTER (26 F.R. 9136), a notice that consideration was being given as to whether certain regulations under the Packers and Stockyards Act (9 CFR Part 201) should be amended or revised in view of the changes in current marketing conditions and the 1958 amendment to the Act which extended the scope of the Act in certain respects. The notification invited any interested persons who wished to do so to submit proposals with respect to changes in §§ 201.10 to 201.13, inclusive, concerning registrations, and §§ 201.29 to 201.34 inclusive, concerning market agency and dealer bonds (9 CFR 201.10-201.13, 201.29-201.34).

Recommendations which have been received from interested persons, if adopted, may require changes or revisions in regulations other than those specified in the notice of September 28, 1961. Specifically those regulations which may require changes are §§ 201.59, 201.60, 201.61, 201.66, 201.67, 201.68, 201.79, and 201.81, concerning certain trade practices and services of persons subject to the Act (9 CFR 201.59, 201.60, 201.61, 201.66, 201.67, 201.68, 201.79, and 201.81).

Any interested person who wishes to submit proposals and the reasons therefor, or comments with respect to these regulations may do so by filing them with the Director, Packers and Stockyards Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 30 days after publication hereof in the FEDERAL REGISTER. The time for filing proposals with respect to §§ 201.10-201.13 and 201.29-201.34 is hereby extended for the same period. Copies of the present regulations may be obtained on request from the Director. If it is decided after consideration of all proposals and comments received pursuant to this notice and consideration of all other relevant matters that the regulations should be amended a notice of proposed rule-making will be published in the FEDERAL REGISTER setting forth any specific proposed amendments. At that time all interested persons will have an opportunity to submit their views on such proposed amendments.

Done at Washington, D.C., this 17th day of January 1962.

CLARENCE H. GIRARD,
Director,

Packers and Stockyards Division.

[F.R. Doc. 62-707; Filed, Jan. 22, 1962;
8:46 a.m.]

Agricultural Stabilization and Conservation Service

[7 CFR Part 1064¹]

[Docket No. AO-28-A20 and AO-28-A22]

MILK IN GREATER KANSAS CITY MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Correction

In F.R. Doc. 61-12366, appearing at page 12710 of the issue for Friday, December 29, 1961, the following words should be inserted immediately preceding the signature of James T. Ralph: "Signed at Washington, D.C., December 22, 1961."

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 541]

EXECUTIVE, ADMINISTRATIVE AND PROFESSIONAL EXEMPTIONS

Notice of Proposed Rule Making

Section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)), provides an exemption from the minimum wage and overtime requirements of the Act for any employee employed in a bona fide executive, administrative, or professional capacity. The Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor is authorized to define and delimit these terms. The regulations established pursuant to this authority are contained in 29 CFR Part 541. These regulations provide, among other things, that no person shall be considered a bona fide executive if he is paid less than \$80 a week on a salary basis (\$55 a week if employed in Puerto Rico or the Virgin Islands), and that no person shall be considered a bona fide administrative or professional employee if he is paid less than \$95 a week on a salary or fee basis (\$70 a week if employed in Puerto Rico or the Virgin Islands). These regulations also contain special provisions for such employees who are paid \$125 a week or more. The widespread increases in wage and payroll levels which have taken place since these salary tests were established in February, 1959, indicates that consideration should be given to further changes of these rates.

Accordingly, notice is hereby given of proceedings to be held on Monday, March 26, 1962, at 10 o'clock a.m., in Conference Room B, Departmental Auditorium, Constitution Avenue, between 12th and 14th Streets NW., Washington, D.C., before Hearing Examiner, Clifford P. Grant, at which time interested persons may submit oral data, views, or arguments on the following question: What, if any, changes should be made in 29 CFR 541.1(f), 541.2(e), and 541.3(e) with respect to the level

¹ Formerly Part 913.

of the salaries or fees prerequisite to the exemption from the minimum wage and overtime requirements of the Act for executive, administrative, and professional employees who are engaged in commerce or in the production of goods for commerce? Similar proceedings on this question as it pertains to employees in Puerto Rico and the Virgin Islands will be held beginning April 9, 1962, at 10 o'clock a.m., on the seventh floor of the Condominio San Alberto Building, Santurce, Puerto Rico.

All persons wishing to be heard on the above question shall file with the Administrator of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, 14th Street and Constitution Avenue NW., Washington 25, D.C., not later than February 28, 1962, notice of intention to appear which shall contain the following information:

1. Name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the persons or organization he is representing.

3. Whether he is appearing in support of a change in the salary or fee levels and, if so, the nature of the change suggested.

4. The approximate length of time he will need for his presentation.

Written data, views, or arguments may be filed at the above address in lieu of personal appearances at any time prior to or at the oral proceedings.

In connection with the question presented above, interested persons are requested to submit prior to or at the oral proceedings the following kinds of data:

1. Salaries or fees currently paid to executive, administrative, and professional employees, including entrance and minimum salaries and fees and ranges of salary and fee rates.

2. Entrance salaries and fees paid to trainees and junior executive, administrative, and professional employees.

3. Wages, salaries and fees of other white collar workers, such as typists, stenographers, secretaries, clerks, accounting clerks, payroll clerks, bookkeepers, and accountants of various grades.

4. Changes in executive, administrative and professional salary and fee levels since 1958 and 1955.

5. Identification of the localities, type of communities, and industries for which data is presented.

The oral proceedings shall be stenographically reported. Transcripts will be made available to interested persons on such terms as the hearing examiner shall prescribe. The hearing examiner shall regulate the proceedings, dispose of procedural requests, objections, and related matters and confine the proceedings to matters pertinent to those hereinabove stated. He shall have discretion to keep the record open after the close of the hearing to permit any person who participated in the oral presentation to submit additional data, views, and arguments responsive to the oral presentations made by other persons. After the record has been closed, the hearing examiner shall certify it to me after which

I will make any appropriate changes in 29 CFR Part 541.

Signed at Washington, D.C., this 17th day of January 1962.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 62-698; Filed, Jan. 22, 1962;
8:46 a.m.]

[29 CFR Parts 602, 603, 657]

[Administrative Order No. 560]

REVIEW COMMITTEES FOR VARIOUS INDUSTRIES IN PUERTO RICO

Appointment; Convention; Notice of Hearings

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and paragraph (C) of proviso (1) of subsection 6(c) of the aforementioned Act, as amended by the Fair Labor Standards Amendments of 1961 (sec. 5(c), 75 Stat. 67), I hereby appoint Review Committee 3-A for the Fabric and Leather Glove Industry in Puerto Rico; Review Committee 3-B for the Leather, Leather Goods, and Related Products Industry in Puerto Rico; and Review Committee 4 for the Tobacco Industry in Puerto Rico to recommend the minimum rate or rates to be paid under paragraph (C) of proviso (1) of subsection 6(c) of the aforementioned Act in lieu of those provided under paragraph (A) of proviso (1) to employees in the designated industries.

The definitions of the industries for which review committees are appointed by this order are set forth below.

The Fabric and Leather Glove Industry in Puerto Rico (29 CFR Part 603) is defined as follows:

The manufacture of dress, semidress, and work gloves and mittens from woven or knit fabric, leather, or fabric or leather in combination with any other material: *Provided, however,* That the industry shall not include the manufacture of knit or crocheted gloves and mittens, sport and athletic gloves and mittens, or rubber gloves and mittens.

The Leather, Leather Goods, and Related Products Industry in Puerto Rico (29 CFR Part 602) is defined as follows:

The curing, tanning, or other processing of hides, skins, leather, or furs, and the manufacture of products therefrom; the manufacture from artificial leather, fabric, plastics, paper or paperboard, or similar materials of trunks, suitcases, brief cases, wallets, billfolds, coin purses, card cases, key cases, cigarette cases, watch straps, pouches, tie cases, toilet kits, checkbook covers, sport and athletic gloves and mittens, belts (except fabric belts), and like articles; and the manufacture of baseballs, softballs, footballs, and basketballs covered with leather, artificial leather, fabric, plastics, or similar materials: *Provided, however,* That the industry shall not include any product or activity included in the button, jewelry, and lapidary work industry in Puerto Rico (29 CFR Part 616), the chemical, petroleum, rubber,

and related products industry in Puerto Rico (29 CFR Part 670), the needlework and fabricated textile products industry in Puerto Rico (29 CFR Part 612), the fabric and leather glove industry (29 CFR Part 603), or the shoe and related products industry (29 CFR Part 601).

The Tobacco Industry in Puerto Rico (29 CFR Part 657) is defined as follows:

The processing of leaf tobacco, including, but without limitation, the grading, fermenting, stemming, chopping, packing, storing, drying, and handling of tobacco; and the manufacture of cigarettes, cigars, cheroots, little cigars, snuff, chewing tobacco, and smoking tobacco.

Pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and the Fair Labor Standards Amendments of 1961 (sec. 5(c) (3), 75 Stat. 69), I hereby:

(1) Convene each of the above-appointed review committees;

(2) Refer to each of these review committees the question of the minimum rate or rates of wages to be fixed for the industry with which it is concerned;

(3) Give notice of the hearing to be held by each of them at the times and places indicated below. Each review committee shall investigate conditions in its industry, and each review committee, or any authorized subcommittee thereof, shall hear such witness and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the aforementioned Act. Each review committee shall recommend to the Administrator the highest minimum wage rates which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in its industry, and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands, and American Samoa.

Review Committee 3-A shall meet in executive session to commence its investigation at 10:00 a.m. on March 5, 1962, in the office of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, seventh floor, Condominio San Alberto Building, 1200 Ponce de Leon Avenue, Santurce, Puerto Rico, and shall commence its hearing at 2:00 p.m., on the same date at the same place. Following the hearing of Review Committee 3-A, Review Committee 3-B shall meet at the aforementioned office of the Wage and Hour and Public Contracts Divisions at an hour designated by its chairman to conduct its investigation and hold its hearing. Review Committee 4 shall meet in executive session to commence its investigation at 10:00 a.m., on March 21, 1962, in the aforementioned office of the Wage and Hour and Public Contracts Divisions, and shall commence its hearing at 2:00 on the same date at the same place.

Whenever any review committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in an industry than may be determined for other employees