INTERSTATE COMMERCE COMMISSION

[Notice 207]

ASSIGNMENT OF HEARINGS

MARCH 23, 1973.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 1977 Sub 15, Northwest Transport Service, Inc., now being assigned hearing June 11, 1973 (1 week), at Phoenix, Ariz., in a hearing room to be later designated.

MC 136564 Sub 1, Shippers Leasing, Inc., now being assigned June 18, 1973 (1 day), at San Francisco, Calif., in a hearing room to be later designated.

MC 136172 Sub 2, Dick Bell Trucking, Inc., now being assigned June 19, 1973 (2 days), at San Francisco, Calif., in a hearing room to be later designated.

MC 107743 Sub 20, System Transport, Inc., now being assigned June 21, 1973 (2 days), at San Francisco, Calif., in a hearing room to be later designated.

MC 123061 Sub 64, Leatham Brothers, Inc., now being assigned June 25, 1973 (3 days), at Seattle, Wash., in a hearing room to be later designated.

MC-138232, Inquisitor's Club, now being assigned hearing June 28, 1973 (2 days), at Seattle, Wash., in a hearing room to be later designated.

FD-24679, Spokane, Portland & Seattle Railway Co. and Union Pacific Railroad Co.—Control—Peninsula Terminal Co., FD-24890, Southern Pacific Co.—Common Use of Terminal Facilities—Peninsula Terminal Co., FD-24891, Southern Pacific Co.—Common Use of Certain Terminal Facilities—Union Pacific Railroad Co., now being assigned hearing June 25, 1973 (1 week), at Portland, Oreg., in a hearing room to be later designated.

MC-115826 Sub 246, W. J. Digby, Inc., now being assigned hearing June 5, 1973 (1 day), at Denver Colo., in a hearing room to be later designated.

MC-52858 Sub 109, Convoy Co., now being assigned hearing June 8, 1973 (1 day), at Denver, Colo., in a hearing room to be later designated.

MC-C-7998, Red Ball Motor Freight, Inc.—Investigation and Revocation of Certificates, now being assigned hearing June 18, 1973 (1 day), at New Orleans, La., in a hearing room to be later designated.

MC-26396 Sub 51 and Sub 63, Popelka Trucking Co., doing business as the Waggoners, now being assigned hearing June 11, 1973 (1 week), at Missoula, Mont., in a hearing room to be later designated.

MC 128383 Sub 17, Pinto Trucking Service, Inc., now assigned March 27, 1973, at New York, N.Y., hearing is canceled and transferred to modified procedure.

MC 115840 Sub 77, Colonial Fast Freight Lines, Inc., now being assigned hearing June 11, 1973 (3 days), at New Orleans, La., in a hearing room to be later designated.

MC 115162 Sub 255, Poole Truck Line, Inc., now being assigned hearing June 14, 1973 (1 day), at New Orleans, La., in a hearing room to be later designated.

MC-32882 Sub 66, Mitchell Bros. Truck Lines, now being assigned hearing June 18, 1973 (1 week), at Portland, Oreg., in a hearing room to be later designated.

MC-113855 Sub 261, International Transport, Inc., now being assigned hearing June 18, 1973 (1 week), at Portland, Oreg., in a hearing room to be later designated.

MC 133095 Sub 19, Texas Continental Express, Inc., now being assigned hearing June 15, 1973 (1 day), at New Orleans, La., in a hearing room to be later designated.

MC 87532 Sub 7, Clay Products Transport, Inc., now being assigned June 4, 1973 (1 day), at Columbus, Ohio, in a hearing room to be later designated.

MC 134599 Sub 53, Interstate Contract Carrier Corporation, now being assigned June 5, 1973 (2 days), at Columbus, Ohio, in a hearing room to be later designated.

MC 50069 Sub 458, Refiners Transport & Terminal Corp., now being assigned June 7, 1973 (2 days), at Columbus, Ohio, in a hearing room to be later designated.

MC 5623 Sub 19, Arrow Trucking Co., now being assigned June 11, 1973 (2 days), at Columbus, Ohio, in a hearing room to be later designated.

MC 135524 Subs 6 and 7, G. F. Trucking Co., now being assigned June 13, 1973 (3 days), at Columbus, Ohio, in a hearing room to be later designated.

AB-3 Sub 2, Missouri Pacific Railroad Co. abandonment between Eudora, Ark., and Delhi, La., in Chicot County, Ark., and West Carrroll and Richland Parishes, La., now being assigned hearing June 20, 1973 (3 days), at Oak Grove, La., in a hearing room to be later designated.

MC 136693, Robert A. Doty, doing business as D. & D. Delivery Service, now being assigned June 4, 1973 (2 days), at Dallas, Tex., in a hearing room to be later designated.

MC 108207 Sub 363, Frozen Food Express, Inc., now being assigned June 6, 1973 (3 days), at Dallas, Tex., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-5921 Filed 3-27-73;8:45 am]

FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

MARCH 23, 1973.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

New York Docket No. T-9147, filed February 26, 1973. Applicant: COOPERSTOWN AND CHARLOTTE VALLEY RAILWAY, 1 Railroad Avenue, Cooperstown, NY 13326. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities and refrigerated products* between stations on the Cooperstown and Charlotte Valley Railway, i.e., Cooperstown Junction, Hartwick, Milford, Cooperstown, on the one hand, and, on the other, all points in Delaware, Greene, Schoharie, and Otsego Counties. Both intrastate and interstate authority sought.

HEARING: Date, time, and place not shown. Requests for procedural information should be addressed to the New York State Department of Transportation, 1220 Washington Avenue, State Campus, Albany, NY 12226, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-5928 Filed 3-27-73;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

MARCH 23, 1973.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed on or before April 12, 1973.

FSA No. 42650—*Sand from Brady, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-393), for interested rail carriers. Rates on and, in carloads, as described in the application, from Brady, Tex., to Prestonsburg, Ky. Grounds for relief—Destination rate relationship. Tariff—Supplement 178 to Southwestern Freight Bureau, agent, tariff ICC 4797. Rates are published to become effective on May 1, 1973.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-5924 Filed 3-27-73;8:45 am]

[Notice 7]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MARCH 23, 1973.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the qual-

ity of the human environment resulting from approval of its application) to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before April 27, 1973.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC–1515 (Deviation No. 642) (cancels Deviation No. 456), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, OH 44113, filed March 9, 1973. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) from Pittsburgh, Pa., over U.S. Highway 22 to junction Interstate Highway 79, thence over Interstate Highway 79 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction U.S. Highway 40, and (2) from Washington, Pa., over city streets to junction Interstate Highway 70, thence over Interstate Highway 70 to junction Interstate Highway 79, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Pittsburgh, Pa., over U.S. Highway 19 to Washington, Pa., thence over U.S. Highway 40 to junction Interstate Highway 70, and return over the same route.

No. MC–1515 (Deviation No. 643) GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, OH 44113, filed March 14, 1973. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highway 24 and Ohio Highway 424 east of Napoleon, Ohio, over U.S. Highway 24 to junction Ohio Highway 424 approximately 4 miles west of Defiance, Ohio, with the following access routes: (1) From Napoleon, Ohio, over Ohio Highway 108 to junction U.S. Highway 24, and (2) from Defiance, Ohio, over Ohio Highway 66 to junction U.S. Highway 24, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From junction U.S. Highway 24 and Ohio Highway 424 northeast of Napoleon, Ohio Highway 424 via Napoleon and Defiance, Ohio, to junction U.S. Highway 24 approximately 4 miles west of Defiance, Ohio, and return over the same route.

No. MC–1515 (Deviation No. 644), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, OH 44113, filed March 14, 1973. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction New Indiana Highway 37 and Old Indiana Highway 37 approximately 1 mile south of Bedford, Ind., over New Indiana Highway 37 to junction Old Indiana Highway 37 just north of Bloomington, Ind., with the following access routes: (1) From Bedford, Ind., over Old Indiana Highway 37 via Oolitic, Ind., to junction New Indiana Highway 37, (2) from Bloomington, Ind., over Indiana Highway 45 to junction New Indiana Highway 37, and (3) from Bloomington, Ind., over Indiana Highway 46 to junction New Indiana Highway 37, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From junction New Indiana Highway 37 and Old Indiana Highway 37 1 mile south of Bedford, Ind., over Old Indiana Highway 37 via Bedford, Oolitic, and Bloomington, Ind., to junction New Indiana Highway 37 just north of Bloomington, Ind., and return over the same route.

No. MC–1515 (Deviation No. 645) (cancels Deviation Nos. 477 and 598), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, OH 44113, filed March 14, 1973. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over a deviation route as follows: From Nashville, Tenn., over Interstate Highway 65 to junction U.S. Highway 31 near Kimberly, Ala., with the following access routes: (1) From Columbia, Tenn., over Tennessee Highway 99 to junction Interstate Highway 65, (2) from Columbia, Tenn., over Tennessee Highway 50 to junction Interstate Highway 65, (3) from Pulaski, Tenn., over Alternate U.S. Highway 31 to junction Interstate Highway 65, (4) from Pulaski, Tenn., over U.S. Highway 64 to junction Interstate Highway 65, (5) from Athens, Ala., over Alabama Highway 251 to junction Interstate Highway 65, and (6) from Decatur, Ala., over Alabama Highway 67 to junction Interstate Highway 65, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From Nashville, Tenn., over U.S. Highway 31 to junction Tennessee Highway 7, thence over Tennessee Highway 7 to junction Alabama Highway 251 (Alabama-Tennessee State line) at Ardmore, Ala., thence over Alabama Highway 251 to junction U.S. Highway 31 at Athens, Ala., thence over U.S. Highway 31 to Birmingham, Ala., and return over the same route.

No. MC–2661 (Deviation No. 4), INDIAN TRAILS, INC., 109 East Comstock Street, Owosso, MI 48867, filed March 7, 1973. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle, over a deviation route as follows: From Flint, Mich., over Interstate Highway 75 to junction Michigan Highway 25 (approximately 2 miles west of Bay City, Mich.), thence over Michigan Highway 25 to Bay City, Mich., with the following access roads: (1) From Flint, Mich., over Michigan Highway 21 to junction Interstate Highway 75, (2) from Flint, Mich., over Pierson Road to junction Interstate Highway 75, (3) from Saginaw, Mich., over Interstate Highway 675 to junction Interstate Highway 75, and (4) from Bay City, Mich., over Michigan Highway 13 to junction Interstate Highway 75, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Port Austin, Mich., over Michigan Highway 25 via Caseville and Unionville, Mich., to Bay City, Mich., thence over U.S. Highway 23 to Flint, Mich., thence over Michigan Highway 78 via Perry and Charlotte, Mich., to Battle Creek, Mich., thence over U.S. Highway 12 via Kalamazoo, Mich., and Michigan City, Ind., to Chicago, Ill. (also from Charlotte over U.S. Highway 27 to Marshall, Mich., thence over U.S. Highway 12 to Battle Creek), and return over the same route.

No. MC 2890 (Deviation No. 92), AMERICAN BUSLINES, INC., 300 South Broadway Avenue, Wichita, KS 67201, filed March 14, 1973. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From St. Joseph, Mo., over Interstate Highway 29 to Council Bluffs, Iowa, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From St. Joseph, Mo., over U.S. Highway 71 to Clarinda, Iowa, thence over Iowa Highway 2 to Sidney, Iowa, thence over U.S. Highway 275 to Balfour, Iowa, thence over U.S. Highway 34 to Glenwood, Iowa, thence over U.S. Highway 275 to junction Iowa Highway 375, thence over Iowa

Highway 375 to Council Bluffs, Iowa, and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-5925 Filed 3-27-73;8:45 am]

[Notice 11]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

MARCH 23, 1973.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969 (49 CFR 1042.4(c)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before April 27, 1973.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-200 (Deviation No. 28), RISS INTERNATIONAL CORPORATION, Post Office Box 2809, Kansas City, MO 64142, filed March 5, 1973. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Harrisburg, Pa., over U.S. Highway 11 to junction Interstate Highway 81, thence over Interstate Highway 81 to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Interstate Highway 30, thence over Interstate Highway 30 to Dallas, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as folows: From Harrisburg, Pa., over U.S. Highway 22 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 66, thence over U.S. Highway 66 to junction U.S. Highway 69, thence over U.S. Highway 69 to junction U.S. Highway 75, thence over U.S. Highway 75 to Dallas, Tex., and return over the same route.

No. MC-57254 (Deviation No. 1), ASSOCIATED FREIGHT LINES, 841 Folger Avenue, Berkeley, CA 94710, filed March 14, 1973. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction California Highways 14 and 58 over California Highway 58 to Barstow, Calif., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Los Angeles, Calif., over U.S. Highway 66 to junction Interstate Highway 15, thence over Interstate Highway 15 to Las Vegas, Nev., and (2) from Fresno, Calif., over U.S. Highway 99 to Bakersfield, Calif., thence over California Highway 58 to Mojave, Calif., thence southerly over California Highway 14 to Palmdale, Calif., thence westerly over unnumbered county road by way of Adelento to Victorville, Calif., thence northerly over U.S. Highway 66 and Interstate Highway 15 via Barstow, Calif., to Las Vegas, Nev., and return over the same routes.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73-5927 Filed 3-27-73;8:45 am]

[Notice 23]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

MARCH 23, 1973.

The following publications are governed by the new Special Rule 1100.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant,[1] and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 124266 (Sub-No. 1) (Amendment) filed October 5, 1972, published in the FEDERAL REGISTER issue of November 16, 1972, and republished, as amended, this issue. Applicant: NELSON GWILLIM, Route 2, Box 144, Carlinville, IL 62626. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat products*, from Oklahoma City, Okla., and the commercial zone thereof, and Chicago, Ill., and the commercial zone thereof, to Granite City, Ill., and the commercial zone thereof; (2)(a) *shortening, salad dressing and pickle products*, from Chicago, Ill., and the commercial zone thereof, to Granite City, Ill., and the commercial zone thereof; (b) *cheese products*, from Carthage, Mo., and the commercial zone thereof, to Granite City, Ill., and the commercial zone thereof; and (c) *cookie products*, from Denver, Colo., and the commercial zone thereof, to Granite City, Ill., and the commercial zone thereof; (3)(a) *cream and condensed products*, in bulk, from Joplin, Mo., and the commercial zone thereof, and Springfield, Mo., and the commercial zone thereof, to St. Louis, Mo., and the commercial zone thereof, and O'Fallon, Ill., and the commercial zone thereof; and (b) *condensed and mixed products*, in bulk, from O'Fallon, Ill., and the commercial zone thereof, to plantsites of Prairie Farms at Marietta, Ga., and La Fayette, Ind.; (4) *cartons*, from points in Kentucky and Missouri (except Springfield and Kansas City, Mo., and the commercial zones thereof), to the plantsites of Prairie Farms in Illinois and Iowa; (5) *ice cream products*, between Marietta, Ga., and the commercial zone thereof, St. Louis, Mo., and the commercial zone thereof, Oklahoma City, Okla., and the commercial zone thereof, and points in Texas; and (6) *butter*, from St. Louis, Mo., and the commercial zone thereof, to points in Illinois, Michigan, Kentucky, Tennessee, and Texas, under contract with Prairie Farms Dairy, Inc. NOTE: The purpose of this republication is to redescribe the commodities and territory proposed to be served and to add the commodity cartons.

HEARING: April 27, 1973 (1 day), at 9:30 a.m. United States Standard Time, at St. Louis, Mo.

No. MC 119639 (Sub-No. 5) (Republication), filed November 24, 1971, published in the FEDERAL REGISTER issue of January 6, 1972, and republished this issue. Applicant: INCO EXPRESS, INC., 2201 Sixth Avenue South, Seattle, WA 98134. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, WA 98104. An order of the Commission, Division 1, Acting as an Appellate Division, dated March 2, 1973, and served March 15, 1973, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *plastic coated fabric and liquid plastic*, in vehicles equipped with mechanical refrigeration, between points in King and Snohomish Counties, Wash, on the one hand, and, on the other, points in Alameda, Contra Costa, Los Angeles, and Orange Counties, Calif.; that applicant is fit, willing, and able properly to perform such service and to conform to the re-

[1] Except as otherwise specifically noted, each applicant (on applications filed after Mar. 27, 1972) state that there will be no significant effect on the quality of the human environment resulting from approval of its application.

quirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 42289 (Sub-No. 10), filed March 14, 1973. Applicant: LOMBARD BROS. INCORPORATED, 249 Mill Street, Waterbury, CT 06720. Applicant's representative: Hugh M. Joseloff, 410 Asylum Street, Hartford, CT 06103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods, office furniture and equipment, and commodities requiring use of dump trucks, tank trucks, or special equipment), between points in Rhode Island. The instant application is a matter directly related to MC-F-11821 published in the FEDERAL REGISTER issue of March 28, 1973. NOTE: Applicant states that the requested authority can be tacked with its existing authority at Providence, R.I., and serve its presently authorized territory. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or Washington, D.C.

No. MC 120265 (Sub-No. 2), filed March 14, 1973. Applicant: VANDALIA AIR FREIGHT, INC., Dayton Municipal Airport, Vandalia, Ohio 45377. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: Regular routes: *Property*, (1) between Vandalia, Ohio, airport and Dayton, Ohio, over Interstate Highway 75, serving all intermediate points; (2) between Vandalia, Ohio airport and Springfield, Ohio, from Vandalia airport over Interstate Highway 75 to junction Interstate Highway 70, thence over Interstate Highway 70 to Springfield, and return over the same route, serving all intermediate points; and (3) between Vandalia, Ohio airport and Sidney, Ohio, over Interstate Highway 75, serving all intermediate points. Restriction: Restricted to transportation of property having a prior or subsequent movement by aircraft. Irregular Routes: *Property*, including property having a prior or subsequent movement by aircraft, between points in Butler Township (Montgomery County), Ohio, on the one hand, and, on the other, points in Ohio. Restriction: Restricted against the transportation of property from or to Vandalia, Ohio (except shipments originating in or destined to a point in said Butler Township), household goods, office furniture and fixtures, furnishing dump truck service, and livestock (except when handled in connection with aircraft transportation). NOTE: The instant application is a matter directly related to MC-F-11805 published in the FEDERAL REGISTER issue of March 7, 1973, Quick Air Freight, Inc., acquisition of Vandalia Air Freight, Inc., and is in effect a conversion of a certificate of registration. Applicant states that the requested authority can be tacked, to a degree, with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Columbus, Ohio.

No. MC 135639 (Sub-No. 2), filed March 5, 1973. Applicant: QUEENSWAY, INC., 105 North Keyser Avenue, Old Forge, PA 18518. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Lockport and Buffalo, N.Y.: From Lockport over New York Highway 31 to its intersection with New York Highway 425, thence over New York Highway 425 to its intersection with New York Highway 384 at North Tonawanda, thence over New York Highway 384 to Buffalo, and return over the same route, serving all intermediate points and the off-route points of Lackawanna, Gardenville, Amherst, Getzville, Pendleton, Newfane, Olcott, Akron, Depew, Lancaster, Williamsville, Wilson, and Hamburg, N.Y.; and (2) between Lockport and Rochester, N.Y.: From Lockport over New York Highway 31 to Middleport, thence over New York Highway 31E to Medina, thence over New York Highway 31 to Rochester, and return over the same route, serving all intermediate points and the off-route points of Johnson Creek, Jeddo, Carlton, Hamlin, Clarendon, Shelby, Barker, Lyndonville, and Hilton, N.Y. NOTE: This application is a matter directly related to MC-F-11812 to convert a certificate of registration to a certificate of public convenience and necessity, published in the FEDERAL REGISTER issue of March 14, 1973. Applicant has pending in No. MC-F-11733 a common control application, published in the FEDERAL REGISTER issue of December 13, 1972. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-11820. Authority sought for control by UNITED TRUCK SERVICE, 2800 West Bayshore Road, Palo Alto, CA 94303, of (A) WEST NEBRASKA EXPRESS, INC., 515 South Beltline Highway, Scottsbluff, NE 69361, and (B) WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Street, Carthage, MO 64836, and for acquisition by O.N.C. FREIGHT SYSTEMS, and ROCOR INTERNATIONAL, and, in turn, by DAVID P. ROUSH, all of Palo Alto, Calif. 94303, of control of WEST NEBRASKA EXPRESS, INC., and WILSON BROTHERS TRUCK LINE, INC., through the acquisition by UNITED TRUCK SERVICE. Applicants' attorneys: Roland Rice, 1111 E Street NW., Suite 618, Washington, DC 20004, and Russell E. Lovell, Post Office Box 419, Scottsbluff, NE 69631. Operating rights sought to be controlled: *General commodities*, with exceptions, as a *common carrier* over regular routes, between Henry, and Omaha, Nebr., serving various intermediate and off-route points in Nebraska, between Denver, Colo., and Gering, Nebr., serving various intermediate and off-route points in Wyoming and Nebraska, between Denver, Colo., and Pine Bluffs, Wyo., serving various intermediate points in Nebraska, and Sterling, Colo., with restriction; *general commodities*, with exceptions, over irregular routes, between points in Nebraska within 25 miles of Morrill, Nebr., including Morrill, on the one hand, and, on the other, points in Nebraska, between intercontinental ballistic missile testing and launching sites, and supply points therefor, located in Logan County, Colo., and Banner, Cheyenne, Kimball, Morrill, and Scotts Bluff Counties, Nebr., with restriction; over three alternate routes for operating convenience only; *meats, meat products, and meat byproducts, etc.*, from Scottsbluff, Nebr., to points in Iowa, Kansas, Minnesota, Missouri, North Dakota, and Wisconsin, from Gordon, Nebr., to Chicago, Ill., from Scottsbluff and York, Nebr., to points in Michigan, Indiana, and Ohio, from Scottsbluff, Nebr., to Chicago, Ill., from Gering, Nebr., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, from the plantsite and storage facility of Swift & Co., at Gering, Nebr., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, from the plantsite and storage facilities of Geo. A. Hormel & Co.,

at Scottsbluff, Nebr., to points in Georgia, North Carolina, and South Carolina, with restrictions; *fresh hams*, from Austin, Minn., Sioux Falls and Huron, S. Dak., Wichita, Kans., Chicago, Ill., and points in Iowa and Missouri, to Scottsbluff, Nebr., from points in Indiana, Ohio, and Minnesota (except Austin), to Scottsbluff, Nebr., with restrictions; *frozen bakery products*, from Appleton, Wis., to points in North Dakota, South Dakota, Minnesota, those in that part of Iowa on and north of U.S. Highway 20 and on and west of U.S. Highway 169, and those in that part of Kansas on and west of U.S. Highway 75; and (B) numerous specified commodities primarily food *flour, meats, fruits, dairy products, and citrus juices*, as a *common carrier* over irregular routes, from, to, and between specified points in the States of Alabama, Louisiana, Mississippi, Missouri, Kansas, Oklahoma, Minnesota, Texas, Florida, Tennessee, Kentucky, Nebraska, Iowa, South Dakota, Wyoming, Wisconsin, Arkansas, North Dakota, Indiana, Illinois, Georgia, South Carolina, North Carolina, Arizona, California, Colorado, Nevada, New Mexico, Utah, and Montana, with certain restrictions, as more specifically described in Docket No. MC–116544 and subnumbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety, thereof. UNITED TRUCK SERVICE is authorized to operate as a *common carrier* in California. Application has been filed for temporary authority under section 210a(b).

No. MC–F–11821. Authority sought for purchase by LOMBARD BROS., INCORPORATED, 249 Mill Street, Waterbury, CT 06706, of the operating rights of JOHNSTON TRANSPORTATION, INC., 384 Charles Street, Providence, RI 02904. Applicants' attorney: Hugh M. Joseloff, 410 Asylum Street, Hartford, CT 06103. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC–118665 (Sub-No. 2), covering the transportation of general commodities, as a *common carrier*, in interstate commerce, within the State of Rhode Island. Vendee is authorized to operate as a *common carrier* in Connecticut, Massachusetts, Pennsylvania, New Jersey, Rhode Island, New York, Maryland, Delaware, and the District of Columbia. Application has not been filed for temporary authority under section 210a (b). NOTE: MC–42289 (Sub-No. 10), is a matter directly related.

No. MC–F–11822. Authority sought for control by O.N.C. FREIGHT SYSTEMS, 2800 West Bayshore Road, Palo Alto, CA 94303, of (A) NORTHWEST MOTOR FREIGHT COMPANY, AND (B) CASHMERE TRANSFER COMPANY, both of 435 Rock Island Road, East Wenatchee, WA 98801, and for acquisition by ROCOR INTERNATIONAL, and, in turn, by DAVID P. ROUSH, AND DIANE G. ROUSH, all of 2800 West Bayshore Road, Palo Alto, CA 94303, of control of NORTHWEST MOTOR FREIGHT COMPANY, and CASHMERE TRANSFER COMPANY, through the acquisition by O.N.C. FREIGHT SYSTEMS. Applicants' attorneys: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101, and Martin J. Rosen, 140 Montgomery Street, San Francisco, CA 94104. Operating rights sought to be controlled: (A) *General commodities*, excepting among others, dangerous explosives, household goods and commodities in bulk, as a *common carrier* over regular routes, between Wenatchee, and Oroville, Wash., between Chelan, and Manson, Wash., between Chelan, and Chelan Falls, Wash., between junction U.S. Highway 97 and Washington Highway 16 (near Pateros, Wash.) and Winthrop, Wash., service is authorized to and from all intermediate points, between Oroville, Wash, and the port of entry on the United State-Canada boundary line, at or near Oroville, Wash., serving no intermediate points; (B) *General commodities*, excepting among others, classes A and B explosives, household goods, and commodities in bulk, as a *common carrier* over irregular routes, between points in Okanogan, Douglas, Chelan, Kittitas, Grant, and Yakima Counties, Wash., between points in Kittitas County, Wash., on the one hand, and, on the other, Seattle and Tacoma, Wash.; *household goods* as defined by the Commission, *heavy machinery, and building materials* (except cement in bulk), between points in Chelan County, Wash., on the one hand, and, on the other, points in Washington. O.N.C. FREIGHT SYSTEMS is authorized to operate as a *common carrier* in Arizona, California, Nevada, Oregon, and Washington. Application has been filed for temporary authority under section 210a (b).

No. MC–F–11823. Authority sought for purchase by COLE'S EXPRESS, 444 Perry Road, Bangor, ME 04402, of a portion of the operating rights of PEERLESS MOTOR EXPRESS, INC., Water Street, Holbrook, MA, and for acquisition by GALEN L. COLE, individually and as Trustee, of the estate of A. J. COLE, MERRILL TRUST CO., Trustees, Bangor, Maine 04402, of control of such rights through the purchase. Applicants' attorneys: Francis P. Barrett, 60 Adams Street, Milton, MA 02187, Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, MA 02043, and Roger C. Wendell, 50 Congress Street, Boston, MA 02109. Operating rights sought to be transferred: *General commodities*, excepting among others, dangerous explosives, household goods and commodities in bulk, as a *common carrier* over regular routes, between Brockton and Boston, Mass., between Holbrook and Boston, Mass., between Boston and Lowell, Mass., serving all intermediate points; *general commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, over irregular routes, between points in Massachusetts. Vendee is authorized to operate as a *common carrier* in Maine, Massachusetts, and New Hampshire. Application has been filed for temporary authority under section 210a(b).

No. MC–F–11824. Authority sought for purchase by CAPE COD OVERLAND EXPRESS, INC., Ladge Drive, Avon, Mass. 02322, of a portion of the operating rights of PEERLESS MOTOR EXPRESS, INC., Water Street, Holbrook, Mass., and for acquisition by HENRY F. LYONS, 59 Woodside Avenue, Brockton, MA, of control of such rights through the purchase. Applicants' attorneys: Francis P. Barrett, 60 Adams Street, Milton, MA 02187, Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, MA 02043, and Roger C. Wendell, 50 Congress Street, Boston, MA 02109. Operating rights sought to be transferred: *General commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier* over regular routes, between Boston, Mass., and Providence, R.I., serving all intermediate points, and the off-route points of Canton and Wellesley, Mass.; *general commodities*, except articles of unusual value, classes A and B explosives, livestock, carnival equipment, household goods as defined by the Commission, commodities in bulk, and commodities requiring refrigerator equipment, over irregular routes, between points within five miles of Boston, Mass., including Boston, on the one hand, and, on the other, points in Rhode Island; *shoes*, between Holbrook, Mass., and points and places in Massachusetts within ten miles of Holbrook, on the one hand, and, on the other, Providence, R.I. Vendee is authorized to operate as a common carrier in Massachusetts. Application has been filed for temporary authority under section 210a(b). NOTE: MC–52963 (Sub-No. 4), is a matter directly related.

No. MC–F–11825. Authority sought for purchase by B & T TRANSPORTATION CO., 200 Frontage Road, Boston, MA 02118, of a portion of the operating rights of PEERLESS MOTOR EXPRESS, INC., Water Street, Holbrook, MA 02343, and for acquisition by ALBERT P. SAGANSKY, AND LEONARD LEWIN, both of Boston, Mass. 02118, and RHODE LEWIN, 239 Tappan Street, Brookline, Mass., of control of such rights through the purchase. Applicants' attorneys: Francis P. Barrett, 60 Adams Street, Milton, MA 02187, Francis E. Barrett, Jr., 10 Industrial Park Road, Hinghan, MA 02043, and Roger C. Wendell, 50 Congress Street, Boston, MA 02109. Operating rights sought to be transferred: *General commodities*, excepting among others, dangerous explosives, household goods and commodities in bulk, as a *common carrier* over irregular routes, between Holbrook, Mass., and points and places in Massachusetts within 10 miles of Holbrook, on the one hand, and, on the other, points and places in Connecticut. Vendee is authorized to operate as a *common carrier* in Rhode Island, Connecticut, and Massachusetts. Application has been filed for temporary authority under section 210a(b).

No. MC–F–11826. Authority sought for purchase by MEADOWS VAN & STORAGE, INC., Box 1023 Shookstown Road, Frederick, MD 21701, of the operating rights and property of ROUTZAHN'S MOVING & STORAGE, INC., Frederick County, Frederick, Md. 21701, and for acquisition by VERONICA MEADOWS, 1705 West Seventh Street, Frederick, MD 21701, HARRY KEMP, Route 8, Frederick, Md. 21701, and FREDERICK KEMP, Montevue Road, Frederick, Md. 21701, of control of such rights and property through the purchase. Applicants' representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, MD 20910. Operating rights sought to be transferred: *Household goods*, as a *common carrier* over irregular routes, between Hagerstown, Md., and points within 25 miles thereof, on the one hand, and, on the other, points in New York, Maryland, Pennsylvania, Virginia, West Virginia, and North Carolina. Vendee is authorized to operate as a *common carrier* in Maryland, Pennsylvania, Virginia, West Virginia and the District of Columbia, and as a *contract carrier* in Maryland, and Virginia. Application has been filed for temporary authority under section 210a(b).

No. MC–F–11827. Authority sought for purchase by JOE HODGES TRANSPORTATION CORPORATION, 1205 South Platte River Drive, Denver, CO 80223, of the operating rights of TODDMAN TRANSPORT CO., Post Office Box 13426, Fort Worth, TX 76118, and for acquisition by NAVAJO FREIGHT LINES, INC., also of Denver, Colo. 80223, of control of such rights through the purchase. Applicants' attorney and representative: Jack Goodman, 39 South La Salle Street, Chicago, IL 60603, and Frank Mikos, Revenue Officer of Internal Revenue Service, 819 Taylor Street, Fort Worth, TX 76102. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC–120750 (Sub-No. 1), covering the transportation of property, as a *common carrier*, in interstate commerce, within the State of Texas. Vendee is authorized to operate as a *common carrier* in Oklahoma and Texas. Application has been filed for temporary authority under section 210a (b). NOTE: MC–120634 (Sub-No. 19), is a matter directly related.

No. MC–F–11828. Authority sought for purchase by CAUDELL TRANSPORT, INC., Building 33, State Farmers Market, Forest Park, Ga. 30050, of the operating rights of W. D. FRISBEE, doing business as FRISBEE MOTOR EXPRESS, Post Office Box 591, Austell, GA 30001, and for acquisition by R. E. CAUDELL, 4410 Davidson Avenue NE., Atlanta, GA 30319, of control of such rights through the purchase. Applicants' attorney: Guy H. Postell, Suite 713, 3384 Peachtree Road NE., Atlanta, GA 30326. Operating rights sought to be transferred: *Bananas*, as a *common carrier* over irregular routes, from Tampa, Fla., and New Orleans, La., to Atlanta, Ga., and Central City, Ky., from Mobile, Ala., Miami, Jacksonville, and Port Everglades, Fla., Charleston, S.C., and Brunswick and Savannah, Ga., to Central City, Ky., and to the site of the Georgia State Farmers Market at or near Forest Park and Atlanta, Ga., from Gulfport, Miss., to Atlanta, Ga., and Central City, Ky. Vendee is authorized to operate as a *common carrier* in Georgia, South Carolina, Tennessee, Florida, Alabama, Kentucky, Louisiana, North Carolina, Mississippi, and Virginia. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73–5926 Filed 3–27–73;8:45 am]

[S.O. No. 1124]

NATIONAL GRAIN AND FEED ASSOCIATION

Demurrage and Free Time on Freight Cars

At a session of the Interstate Commerce Commission, Division 3, acting as an appellate division, held at its office in Washington, D.C., on the 20th day of March 1973.

Upon consideration of the petition filed by the National Grain and Feed Association on March 15, 1973, requesting postponement and reconsideration of Service Order No. 1124.

It appearing, that Service Order No. 1124 was issued by Division 3 in accordance with applicable law and upon its determination that an emergency exists because of an acute shortage of freight cars in all sections of the country; that the Association's members have had ample opportunity to review their operations to avoid the excessive detention of freight cars; that numerous cars are held idle for excessive periods awaiting loading or unloading; and that the petition states no errors of fact or law warranting the relief sought, and for good cause appearing;

It is ordered, That the petition be, and it is hereby, denied.

By the Commission, Division 3, acting as an appellate division.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73–5923 Filed 3–27–73;8:45 am]

[No. 35767]

LOUIS PADNOS IRON & METAL CO.

Petition for Investigation

MARCH 19, 1973.

Notice is hereby given that on December 18, 1972, Louis Padnos Iron & Metal Co. filed a petition seeking the institution of an investigation for the purpose of determining the lawfulness of the practice of the railroads in utilizing "gross v. gross" weights in considering claims for loss and damage of rail shipments of scrap iron and steel.

The petitioner asserts that it is entitled to reimbursement of its "full and actual loss", pursuant to section 20(11) of the Interstate Commerce Act, and that such loss lawfully should be measured by the difference between origin and destination net weights. Petitioner states that it is the practice of the railroads, principally the Chesapeake and Ohio Railway Co., to pay only those claims for loss established by a comparison of gross weights.

Any person interested in the matter which is the subject of the instant petition and who wishes to participate actively in any further proceedings herein shall notify this Commission, by filing with the Commission's Office of Proceedings, room 5342, on or before April 30, 1973, an original and one copy of a statement of his intention to participate. Thereafter the nature of further proceedings herein, if any, will be designated. The petition and statements of intent to participate, if any, filed with the Commission will be available for public inspection at the offices of the Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, D.C., during regular business hours.

A copy of this notice will be served upon the petitioner; and notice of the filing of this petition will be given to the general public by depositing a copy of this notice in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, for publication therein.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.73–5922 Filed 3–27–73;8:45 am]

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PART II

DEPARTMENT OF TRANSPORTATION

Coast Guard

■

LIFE SAVING EQUIPMENT

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER S—BOATING SAFETY

[CGD 72-120R]

PART 175—EQUIPMENT REQUIREMENTS

Personal Flotation Devices

The purpose of these amendments is to establish new carriage requirements for lifesaving equipment on certain vessels to which the Federal Boat Safety Act of 1971 applies. A notice of proposed rulemaking was published on October 6, 1972 (37 FR 21262), proposing adoption of these carriage requirements under the authority of sections 5 and 39 of the Federal Boat Safety Act of 1971 (85 Stat. 213, 215, 216, 228; 46 U.S.C. 1454, 1488; 49 CFR 1.46(o)(1)).

In addition a supplemental notice of proposed rulemaking was published on January 5, 1973 (38 FR 887), proposing clarification to the carriage requirements by extending the throwable device requirement to all boats.

On November 20, 1972, a public hearing was held at U.S. Coast Guard Headquarters in Washington, D.C., to receive the views of interested persons on the proposed regulations. During the period October 6, 1972, to December 11, 1972, and January 5, 1973, to January 30, 1973, written comments from interested persons were received. The Coast Guard has considered these oral and written comments in preparing the final rule.

The requirements have been developed in accordance with the requirements of section 6 of the Federal Boat Safety Act of 1971. The Boating Safety Advisory Council has been consulted and its opinions and advice have been considered in the formulation of these regulations. The transcript of the proceedings of the meeting of the Boating Safety Advisory Council at which these regulations were discussed is available for examination in Room 6240, U.S. Coast Guard Headquarters, Department of Transportation Headquarters Building, 400 Seventh Street SW., Washington, DC 20590. The minutes of the meetings are available from the Executive Director, Boating Safety Advisory Council at this address.

Several comments suggest that "ski belts" be considered as approved devices and allowed for carriage in lieu of buoyant cushions or other similar devices. The Coast Guard approves personal flotation devices which fall into two general groups; devices that an individual would wear and devices intended to be grasped by an individual in the water. A ski belt when compared to the group of devices designed to be worn does not perform satisfactorily. It provides insufficient buoyancy in the wrong location as commonly worn. People will wear ski belts in one of four ways; high or low on the front or high or low on the back. The location of the center of buoyancy of the human body being where it is, only one location (high on the front) will provide the turning moment in the water necessary to hold the wearer's face out of the water. Three out of the four ways of wearing the device afford inadequate protection. When compared to the second group, those intended to be grasped, a ski belt provides only 25 percent of the buoyancy required for a device designed to be grasped. An extensive study conducted for the Coast Guard shows that a minimum of 13 to 14 pounds buoyancy is required to support 90 percent of the American population with only their head above water (does not include any portion of neck). A ski belt offers 5 to 6 pounds buoyancy which will support only 10 percent of the population. In many instances, the strap does not pass through the foam and has been known to separate from the foam upon impact with the water (a water skier falling from his skis). Ski belts are not Coast Guard approved, but may be carried as excess equipment in addition to the required approved devices.

One comment spoke to a type of lifesaving device used by lifeguards. This is a device similar in appearance to a ski belt, but one that is not worn by water skiers. This particular device provides over 16 pounds of buoyancy and when put on the victim (high on the front) allows the lifeguard to tow the floating victim onto shore. This device is not Coast Guard approved, but may be carried as excess equipment.

Several comments were received with regard to the acceptability of a wet suit as a suitable replacement for a PFD. The wet suit has not been formally submitted to the Coast Guard for approval. However, the wet suit has been evaluated for cold weather operations. During this evaluation it was determined that the wet suit in no way met any of the performance (amount and location of buoyancy) criteria for PFD approval.

Several comments spoke to the carriage of a Type IV PFD (throwable device) for man-overboard protection. After reviewing the several comments with regard to the supplemental Notice of Proposed Rule Making, the Coast Guard is revising the proposed requirement for the additional throwable device. Boats 16 feet in length and longer, except canoes and kayaks, are required to carry at least one Type IV PFD in addition to the required devices. The notice (37 FR 21262) set the break point at 26 feet, but it was felt that boats in the 16 to 26 foot category would also require the man-overboard protection afforded to the larger boats in the original proposal. On boats less than 16 feet in length, there is no mandatory requirement for the Type IV device. A great majority of boats less than 16 feet in length normally carry cushions as the required device. On most of these boats there is limited space to stow additional items such as a throwable device. Also, many racing associations require the participants to wear their devices when engaged in racing activities. In addition, the boats in the less than 16 foot category are very maneuverable and generally have low freeboard, making reboarding easier. It is therefore not necessary to require a Type IV throwable device for the smaller boats. The Coast Guard will study this area further. It should be pointed out that the buoyant cushion will continue to be a Coast Guard approved device.

Several comments suggested that carriage requirements be based on where the boat is used and distance from shore traveled. With this setup a boatman would be faced with different criteria during a voyage depending on the waters to be used and the distance he was from the shore. This approach would put an undue burden on the boatman. One comment suggested requiring the PFD to be worn. The purpose of these regulations was to give the boatman a wide choice of approved devices with corresponding performance information from which he could choose an appropriate device for his particular use. The choice of device and whether to wear it or not is left up to the boatman.

One comment suggested that Types I II, and III be allowed as throwable devices. There are different buoyancy and actual performance criteria for the Type IV than for the other devices. The approval specifications for the Type IV device are based in part on a throwing criteria. Also the performance of Types I, II, and III are different if they are grasped than if worn as they are intended to be. The Type IV when grasped keeps a body higher out of the water than do the Types I, II, and III because of greater buoyancy provided.

Several comments suggested that the Type IV be one of the required devices on boats 16 feet or longer in length. One of the reasons for accepting cushions (Type IV) on smaller boats is because of limited storage space on these boats. On boats 16 feet in length and longer the storage problem is not present, and therefore, the larger devices can be adequately stowed.

One comment questioned the legal authority to regulate private citizens using a private boat. The authority is section 5(a)(2) of the Federal Boat Safety Act of 1971 (Public Law 92-75), which provides: "The Secretary may issue regulations—requiring the installation, carrying, or using of associated equipment on boats and classes of boats subject to this Act; and prohibiting the installation, carrying, or using of associated equipment which does not conform with safety standards established under this section. Equipment contemplated by this clause includes, but is not limited to, fuel systems, ventilation systems, electrical systems, navigational lights, sound producing devices, firefighting equipment, lifesaving devices, signaling devices, ground tackle, life and grab rails, and navigational equipment."

Several comments concerning exemption of racing canoes, racing shells, rowing sculls, and racing kayaks, were directed to the regulations "Interim Requirements" published in the February 16, 1972 (37 FR 3433) FEDERAL REGISTER. These comments were answered in the October 6, 1972, notice of proposed rulemaking (37 FR 21263).

One comment suggested that the Type IV throwable device be readily accessible instead of immediately available. This device which would be used for man over-

board protection, should be so located that it can be put to immediate use in an emergency.

Several miscellaneous comments not specifically directed to the notice of proposed rule making were received. The comments on signal lights for PFD's, inflatable boats in lieu of PFD's, and coloring schemes for search and rescue purposes will be reviewed and be a basis for possible future revisions to the regulations.

The effective date of the regulations is October 1, 1973. This date should allow adequate time to properly educate the boatman on the new requirements. However, if a person wishes to follow the new requirements, he will be considered in compliance with the existing requirements.

These regulations revoke the requirements presently applicable to uninspected recreational motorboats in 46 CFR 25.25 and also the interim requirements in 33 CFR Part 199 presently applicable to boats propelled or controlled by oars, paddles, poles, sail, or by another vessel.

This amendment to Subchapter S applies to recreational boats as defined in § 175.3(b). An amendment to Subchapter C, Chapter I of title 46, which appears in this issue of the FEDERAL REGISTER at page 8116, contains the requirements for vessels carrying six or fewer passengers as well as other requirements.

In consideration of the foregoing, Subchapter S of Title 33 of the Code of Federal Regulations is amended by adding a new Part 175 to read as follows:

Subpart A—General

Sec.

175.1 Applicability.
175.3 Definitions.

Subpart B—Personal Flotation Devices

175.11 Applicability.
175.13 Definitions.
175.15 Personal flotation devices required.
175.17 Exceptions.
175.19 Stowage.
175.21 Condition; approval; marking.
175.23 Personal flotation device equivalents.

AUTHORITY: Secs. 5 and 39 of the Federal Boat Safety Act of 1971, 46 U.S.C. 1454, 1488; 49 CFR 1.46(o)(1).

Subpart A—General

§ 175.1 Applicability.

This part prescribes rules governing the use of boats on waters subject to the jurisdiction of the United States and on the high seas beyond the territorial seas for boats owned in the United States except—

(a) Foreign boats temporarily using waters subject to U.S. jurisdiction;

(b) Military or public boats of the United States, except recreational-type public vessels;

(c) A boat whose owner is a State or subdivision thereof, which is used principally for governmental purposes, and which is clearly identifiable as such;

(d) Ship's lifeboats.

§ 175.3 Definitions.

As used in this part:

(a) "Boat" means any vessel manufactured or used primarily for noncommercial use; leased, rented, or chartered to another for the latter's noncommercial use; or engaged in the carrying of six or fewer passengers.

(b) "Recreational boat" means any vessel manufactured or used primarily for noncommercial use; or leased, rented, or chartered to another for the latter's noncommercial use. It does not include a vessel engaged in the carrying of six or fewer passengers.

(c) "Vessel" includes every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

(d) "Use" means operate, navigate, or employ.

(e) "Passenger" means every person carried on board a vessel other than—

(1) The owner or his representative;

(2) The operator;

(3) Bona fide members of the crew engaged in the business of the vessel who have contributed no consideration for their carriage and who are paid for their services; or

(4) Any guest on board a vessel which is being used exclusively for pleasure purposes who has not contributed any consideration, directly or indirectly, for his carriage.

(f) "Racing shell, rowing scull, and racing kayak" means a manually propelled boat that is recognized by national or international racing associations for use in competitive racing and one in which all occupants row, scull, or paddle, with the exception of a coxswain, if one is provided, and is not designed to carry and does not carry any equipment not solely for competitive racing.

Subpart B—Personal Flotation Devices

§ 175.11 Applicability.

This subpart applies to all recreational boats that are propelled or controlled by machinery, sails, oars, paddles, poles, or another vessel except racing shells, rowing sculls, and racing kayaks.

§ 175.13 Definitions.

As used in this subpart:

(a) "Personal flotation device" means a device that is approved by the Commandant under 46 CFR 160.

(b) "PFD" means "personal flotation device".

§ 175.15 Personal flotation devices required.

(a) Except as provided in § 175.17, no person may use a recreational boat less than 16 feet in length or a canoe or kayak unless at least one PFD of the following types or their equivalents listed in Table 175.23 is on board for each person:

(1) Type I PFD.
(2) Type II PFD.
(3) Type III PFD.
(4) Type IV PFD.

(b) No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless at least one PFD of the following types or their equivalents listed in Table 175.23 is on board for each person:

(1) Type I PFD.
(2) Type II PFD.
(3) Type III PFD.

(c) No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless at least one type IV PFD or its equivalent listed in Table 175.23 is on board in addition to the PFD's required in paragraph (b) of this section.

§ 175.17 Exceptions.

(a) A person using a canoe or kayak that is enclosed by a deck and spray skirt need not comply with § 175.15(a) if he wears a vest-type lifesaving device that—

(1) Has no less than 150 separate permanently inflated air sacs made of not less than 12 mil polyvinylchloride film and has not less than 13 pounds of positive buoyancy in fresh water, if worn by a person who weighs more than 90 pounds; or

(2) Has no less than 120 separate permanently inflated air sacs made of not less than 12 mil polyvinylchloride film and has not less than 8½ pounds of positive buoyancy in fresh water, if worn by a person who weighs 90 pounds or less.

(b) A type V PFD may be carried in lieu of any PFD required in § 175.15 if that type V PFD is approved for the activity in which the recreational boat is being used.

§ 175.19 Stowage.

(a) No person may use a recreational boat unless each type I, type II, type III, or type V PFD required by §§ 175.15 or 175.17 is readily accessible.

(b) No person may use a recreational boat unless each type IV PFD required by § 175.15 is immediately available.

§ 175.21 Conditions: approval; marking.

No person may use a recreational boat unless each device required by § 175.15, or each device allowed by § 175.17, is—

(a) In serviceable condition;

(b) Legibly marked with the approval number as specified in 46 CFR Part 160 for items subject to approval; and

(c) Of an appropriate size for the person for whom it is intended.

§ 175.23 Personal flotation device equivalents.

Table 175.23 lists devices that are equivalent to personal flotation devices.

TABLE 175.23

Devices marked—	*Are equivalent to performance type*
160.002 Life preserver	Type I personal flotation device.
160.003 Life preserve	Do.
160.004 Life preserver	Do.
160.005 Life preserver	Do.
160.009 Ring life buoy	Type IV personal flotation device.
160.047 Buoyant vest	Type II personal flotation device.
160.048 Buoyant cushion.	Type IV personal flotation device.
160.049 Buoyant cushion.	Do.
160.050 Ring life buoy	Do.
160.052 Buoyant vest	Type II personal flotation device.
160.053 Work vest	Type V personal flotation device.
160.055 Life preserver	Type I personal flotation device.

Devices marked—	*Are equivalent to performance type*
160.060 Buoyant vest.	Type II personal flotation device.
160.064 Special purpose water safety buoyant devices.	A device intended to be worn may be equivalent to type II or type III. A device that is equivalent to type III is marked "Type III Device—may not turn unconscious wearer". A device intended to be grasped is equivalent to type IV.

Effective date. This amendment shall become effective on October 1, 1973. However, compliance with this proposal prior to the effective date will be considered as compliance with the existing regulations.

Dated: March 21, 1973.

C. R. BENDER,
Admiral, U.S. Coast Guard,
Commandant.

[FR Doc.73-5736 Filed 3-27-73;8:45 am]

Title 46—Shipping

SUBCHAPTER C—UNINSPECTED VESSELS

[CGD 72-172R]

PART 24—GENERAL PROVISIONS

PART 25—REQUIREMENTS

Life Preservers and Other Lifesaving Equipment for Uninspected Vessels

The purpose of these amendments to the uninspected vessel regulations is to implement new carriage requirements for uninspected commercial vessels.

These amendments were proposed in a notice of proposed rule making published in the FEDERAL REGISTER of October 6, 1972 (37 FR 21264). A public hearing was held on November 20, 1972, in Washington, D.C., on the amendments proposed in the notice. Interested persons were given the opportunity to submit written comments both before and at the public hearing and to make oral comments concerning all the proposed amendments at the public hearing. There were no comments received that spoke exclusively to CGD 72-172 PR. Comments received have been responded to in CGD 72-163 PR.

The amendments in this document accomplish the following:

a. Make the provisions of 46 CFR Subpart 25.25 applicable only to commercial uninspected vessels.

b. Make all commercial uninspected sail vessels and non-self-propelled vessels carrying six or less passengers for hire subject to the provisions of Subpart 25.25.

c. Withdraw acceptance of wood floats as primary lifesaving devices for commercial fishing motorboats. The proposal will establish a wearable lifesaving device as the minimum. Use of the wood float requires the user to grasp the float and to remain in complete control of body functions. This is considered to be unreasonable in light of the effects of cold water on a human body after relatively short periods of immersion. Commercial fishing vessels can be expected to operate in open water in severe conditions.

d. Withdraw the provisions which permit commercial fishing motorboats and commercial motorboats not carrying passengers for hire the option of carrying a device intended to be thrown such as a ring buoy, or buoyant cushion in lieu of a wearable device. As proposed, a life preserver, buoyant vest or special purpose water safety buoyant device intended to be worn would be required for each person on board, except commercial motorboats 40 feet or longer would be required to carry a life preserver as the wearable device. The new minimum established would be a wearable device. It is considered reasonable to require the wearable lifesaving device on commercial vessels as they tend to operate in almost all weather conditions.

e. Require life preservers to be of a size suitable for each person on board, i.e. adult, child medium or child small. The approval of a device is limited to the size marked on the device, thus this requirement simply clarifies the existing limitations of Coast Guard approved lifesaving devices. The present regulations in § 25.25-10 for uninspected vessels carrying passengers for hire require an additional number of life preservers suitable for children equal to at least 10 percent of the total number of persons carried. For uninspected vessels carrying six and less passengers for hire, the greatest number of child devices required would be six and this is not considered to be onerous. Similarly commercial vessels not carrying passengers for hire do not ordinarily carry children, therefore the requirement to carry devices of an appropriate size is reasonable.

f. Include a requirement for the carriage of a ring life buoy for all commercial motor vessels, motorboats 26 feet or longer and all sail vessels and non-self-propelled vessels 26 feet or longer carrying passengers for hire. The additional ring life buoy is intended to be thrown to a person falling overboard into the water. The Coast Guard considers that boats 26 feet in length or longer are less maneuverable than smaller boats and that these larger boats have, in general, higher freeboards making reboarding more difficult. For these reasons, the Coast Guard feels that additional man-overboard protection is needed.

g. Continue to permit excess equipment to be carried in addition to that required. The proposal would delete the specific text which states that such excess equipment is permitted. This includes workvests, special purpose water-safety buoyant devices intended to be thrown to a person in the water, and buoyant cushions. The text as now worded serves no purpose.

h. Continue to permit cork and balsa wood life preservers maufactured prior to July 1, 1965, under Subparts 160.003 and 160.004 (46 CFR Part 160) to be carried as required equipment. However, the amendment would delete from the regulations § 25.25-5(c)(2) which specifically allows these life preservers, because the text is not necessary.

i. Withdraw the provision which permits vessels to continue to carry items of equipment purchased prior to November 19, 1952. Twenty years has provided sufficient time to acquire replacement of lifesaving equipment purchased prior to November 19, 1952, through normal attrition.

j. Revise the appropriate applicability sections of Subchapter C.

The effective date of these amendments is October 1, 1973. Any person who complies with these amended regulations prior to October 1, 1973, will be considered as being in compliance with the existing regulations. There were no comments received.

In consideration of the foregoing, Parts 24 and 25 of Chapter I, Title 46, Code of Federal Regulations, are amended as follows:

1. By revising § 24.01-1 to read as follows:

§ 24.01-1 Purpose of regulations.

The purpose of the regulations in this subchapter is to set forth uniform minimum requirements for uninspected commercial vessels, certain motor vessels, vessels propelled by said carrying passenger for hire, and barges carrying passengers for hire in accordance with the intent of the Motorboat Act of 1940, as amended (54 Stat. 163; 46 U.S.C. 526-526t) and the Federal Boat Safety Act of 1971 (85 Stat. 213; 46 U.S.C. 1451-1489). The regulations are necessary to carry out the provisions of the Motorboat Act of 1940, and the Federal Boat Safety Act of 1971 and such regulations have the force of law.

2. By revising § 24.01-10 (a) and (b) to read as follows:

§ 24.01-10 Authority for regulations.

(a) *General.* The authority to prescribe regulations generally is set forth in R.S. 4405, as amended (46 U.S.C. 375) and R.S. 4462, as amended (46 U.S.C. 416) and in section 17 of the Motorboat Act of 1940, as amended (54 Stat. 166; 46 U.S.C. 526p) and sections 5 and 39 of the Federal Boat Safety Act of 1971 (85 Stat. 215, 228; 46 U.S.C. 1454, 1488).

(b) *Lifesaving appliances.* The regulations regarding lifesaving appliances interpret or apply section 6 of the Motorboat Act of 1940, as amended (54 Stat. 164; 46 U.S.C. 526e) and section 5(a) of the Federal Boat Safety Act of 1971 (85 Stat. 215; 46 U.S.C. 1454(a)).

* * * * *

3. By revising the entry in Table 24.05-1(a) for "sail" in column 6 and by adding Footnote 12 to read as follows:

TABLE 24.05-1(a)

•		•		•		•		•	
• • •	• • •	• • •	• • •	• • •	All vessels carrying 6 or less passengers for hire.[12]		• • •	• • •	
•		•		•		•		•	

[12] Lifesaving device requirements of Subpart 25.25 only.

4. By revising Subpart 25.25 to read as follows:

Subpart 25.25—Life Preservers and Other Lifesaving Equipment

Sec.
25.25–1 Application.
25.25–3 Definitions.
25.25–5 Life preservers and other lifesaving equipment required.
25.25–7 Marking.
25.25–9 Storage.
25.25–11 Condition.

AUTHORITY: The provisions of this Subpart 25.25 issued under R.S. 4405, as amended, R.S. 4462, as amended, sec. 17, 54 Stat. 166, as amended, secs. 5 and 39, 85 Stat. 215, 228, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 526P, 1454, 1488; 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b) and (o)(1).

§ 25.25–1 Application.

This subpart applies to each vessel to which this part applies, except:

(a) Vessels used for noncommercial use;

(b) Vessels leased, rented, or chartered to another for the latter's noncommercial use;

(c) Commercial vessels propelled by sail not carrying passengers for hire; or

(d) Commercial barges not carrying passengers for hire.

§ 25.25–3 Definitions.

As used in this subpart:

(a) "Approved" means approved under Subchapter Q of this chapter.

(b) "Use" means operate, navigate, or employ.

§ 25.25–5 Life preservers and other lifesaving equipment required.

(a) No person may operate a vessel to which this subpart applies unless it meets the requirements of this subpart.

(b) Each vessel not carrying passengers for hire, less than 40 feet in length must have at least one life preserver, buoyant vest, or special purpose water safety buoyant device intended to be worn, approved under Subchapter Q of a suitable size for each person on board. Kapok and fibrous glass life preservers that do not have plastic-covered pad inserts as required by Subparts 160.002 and 160.005 of this chapter are not acceptable as equipment required by this paragraph.

(c) Each vessel carrying passengers for hire and each vessel 40 feet in length or longer not carrying passengers for hire must have at least one life preserver approved under Subchapter Q of a suitable size for each person on board. Kapok and fibrous glass life preservers which do not have plastic-covered pad inserts as required by Subparts 160.002 and 160.005 of this chapter are not acceptable as equipment required by this paragraph.

(d) Each vessel 26 feet in length or longer must have at least one ring life buoy approved under Subparts 160.009 or 160.050 of this chapter in addition to the equipment required by paragraph (b) or (c) of this section.

§ 25.25–7 Marking.

The lifesaving equipment required by this subpart must be legibly marked as specified in Subchapter Q of this chapter.

§ 25.25–9 Storage.

(a) The lifesaving equipment designed to be worn required in § 25.25–5 (a) and (b) must be readily accessible.

(b) Lifesaving equipment designed to be thrown required in § 25.25–5(d) must be immediately available.

§ 25.25–11 Condition.

The lifesaving equipment required by this subpart must be in serviceable condition.

Effective date. The effective date of these amendments is October 1, 1973, however any person in compliance with these amendments prior to October 1, 1973, will be considered in compliance with existing regulations.

(R.S. 4405, as amended, R.S. 4462, as amended, Dec. 17, 54 Stat. 166, as amended, Secs. 5 and 39, 85 Stat. 215, 228, Sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 416, 526p, 1454, 1488; 49 U.S.C. 1655(b)(1); 49 CFR 1.46 (b) and (o)(1))

Dated: March 21, 1973.

C. R. BENDER,
Admiral,
U.S. Coast Guard, Commandant.

[FR Doc.73–5735 Filed 3–27–73;8:45 am]

SUBCHAPTER Q—SPECIFICATIONS

[CGD 72–163R]

PART 160—LIFESAVING EQUIPMENT

Specification for Lifesaving Equipment

The purpose of these amendments to the specification regulations is to implement the new terminology that will be used by the Coast Guard to more accurately indicate the performance of approved lifesaving devices.

These amendments were proposed in a notice of proposed rulemaking published in the FEDERAL REGISTER of October 6, 1972 (37 FR 21266). A public hearing was held on November 20, 1972, in Washington, D.C., on the amendments proposed in the notice. Interested persons were given the opportunity to submit written comments both before and at the public hearing and to make oral comments concerning all the proposed amendments at the public hearing. Type designations were used throughout Part 160 to distinguish between different designs and materials used in the construction of approved lifesaving devices. For example, in § 160.002–2, a Type A kapok life preserver denoted the adult model, and a Type B kapok life preserver denoted the child's model. In § 160.009–2, Type I designated a ring life buoy made of cork and Type II designated a ring life buoy made of balsa wood. Since this terminology conflicts with the personal flotation device (PFD) performance terminology (i.e., Type I, personal flotation device, Type II personal flotation device, etc.) in Part 175, the present type designations in Part 160 are deleted wherever they appear and the appropriate personal flotation device type designation added to the marking specification so that the user can recognize and select the appropriate type device required by Part 175.

The specifications for buoyant vests, buoyant cushions, and special purpose water safety buoyant devices are changed to reflect the language of the Federal Boat Safety Act of 1971 (85 Stat. 213; 46 U.S.C. 1451, et seq.) by replacing the words "motorboats of Classes A, 1 or 2 not carrying passengers for hire"; with the words "recreational boats." Also for the same reason wherever ring life buoys are referred to in Part 160 as being used on merchant vessels and motorboats, the word "motorboats" is replaced by the word "boats."

In addition, miscellaneous amendments to Part 160 are included to improve clarity and update the text. These amendments include:

a. In the heading of § 160.009–4, the word "requirement" is replaced by the word "standard" to make the wording of the heading consistent with the wording used elsewhere in Part 160.

b. Paragraphs (d) of § 160.047–1, 160.048–1, 160.049–1, 160.052–1, and 160.060–1 are revised to reflect the new permissible extension.

c. Sections 160.048–7a, 160.049–7a, and 160.064–5a are added to update the name and address of the designated recognized laboratory conducting the approval testing and inspection program.

d. Sections 160.049–4(c) and 160.064–5(b) are revised for the purpose of clarity.

e. Paragraphs 160.002–1(d), 160.005–1(d), 160.009–1(d), 160.050–1(d), 160.053–1(c), and 160.055–1(d) are added to reflect the new permissible extension.

The Coast Guard received written comments on the proposed changes to the Specifications for Lifesaving Equipment. The comments received were as follows:

1. The effective date should be September 1, 1973.

2. Suggested new format for classification of devices instead of by type.

3. The buoyancy requirement for Type IV Personal Flotation Devices is 20 pounds. Inasmuch as there are materials available (i.e. P.V.C. Foam) which do not have the same loss of buoyancy through use as kapok has and in an effort to produce a more acceptable device for the recreational boatman, a lesser buoyancy rating (not including kapok devices) was suggested.

4. There appear to be conflicting requirements regarding the breaking strength of the dee ring and snap hook arrangement and the body strap assembly (including dee ring and snap hooks). The discrepancy should be removed and requirements brought in line.

5. The Coast Guard should adopt the "NAYRU standards for PFD's for Sailors" as part of the Coast Guard specification which covers devices intended for sailors.

6. The Coast Guard should accept the use of entrapped air as primary means of buoyancy.

7. The Coast Guard should require the use of retro-reflective tape on all PFD's.

8. The results of the buoyancy test should be after 2 hours in lieu of the presently required 24 hours for foam devices only. This will enable the inspector to spend less time in the factory while achieving the same level of quality.