

Presidential Documents

Proclamation 4690 of September 19, 1979

National Day of Prayer, 1979

By the President of the United States of America

A Proclamation

The history of our country is a history of triumph over adversity. Time after time, we have overcome threats from within and without. Over the generations, wars, depressions, and internal differences and bigotry in various forms have struck at the foundations of our society. As we have met these challenges together, the bonds between us as Americans have grown stronger.

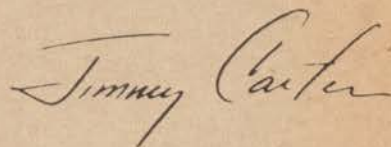
We endure and remain a land of hope because of the basic goodness and strength of our people and because the God of us all has shown us His favor.

The decisions we make today on arms, economics, social justice and global responsibilities echo into the future of the world. We accept our responsibilities and make our choices with all the will and determination at our command, but always in the full knowledge that we are finally in the hands of God. In the words of the prophet Zechariah, "Not by might, not by power but by my spirit saith the Lord of Hosts." (4:6)

Recognizing this, the Congress by joint resolution approved April 17, 1952 (36 U.S.C. 185; 66 Stat. 64) has called upon the President to set aside a suitable day each year as a National Day of Prayer.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby proclaim Wednesday, October 3, 1979, as a National Day of Prayer. I ask all Americans to join with me on that day to recommit ourselves to God, to each other and to the towering ideals of truth, justice, fairness, brotherhood, and love which our Nation has cherished and protected. Let us pray for the will and wisdom to create a world in which all people can live with each other in peace. Let us pray that careful stewardship of today's opportunities will protect and enlarge the inheritance of liberty and security we give our children.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of September, in the year of our Lord nineteen hundred seventy-nine, and of the Independence of the United States of America the two hundred and fourth.



Proclamation

Proclamation of September 18, 1917

National Day of Prayer, 1917

By the President of the United States of America

I, Woodrow Wilson

The people of our country are a people of prayer. They have found that prayer is a power that can move mountains and change the hearts of men. They have found that prayer is a power that can bring peace to the world and joy to the soul. They have found that prayer is a power that can bring us closer to God and to each other. They have found that prayer is a power that can bring us the strength to face our greatest challenges and the wisdom to make our greatest decisions. They have found that prayer is a power that can bring us the courage to stand for our principles and the grace to accept our limitations. They have found that prayer is a power that can bring us the hope to see a better future and the faith to believe in it. They have found that prayer is a power that can bring us the love to care for one another and the compassion to understand the needs of others. They have found that prayer is a power that can bring us the peace to live with ourselves and the joy to live with others. They have found that prayer is a power that can bring us the strength to stand for our principles and the grace to accept our limitations. They have found that prayer is a power that can bring us the hope to see a better future and the faith to believe in it. They have found that prayer is a power that can bring us the love to care for one another and the compassion to understand the needs of others. They have found that prayer is a power that can bring us the peace to live with ourselves and the joy to live with others.

Therefore, I, Woodrow Wilson, President of the United States of America, do hereby proclaim the first Monday of September, 1917, as a National Day of Prayer, to be observed by the people of our country as a day of prayer and reflection.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the United States of America at the City of Washington, this 18th day of September, 1917.

WOODROW WILSON

Presidential Documents

Executive Order 12158 of September 18, 1979

Awards for Special Capability in the Visual and Performing Arts and in Creative Writing

Correction

The file line for Executive Order 12158, appearing at page 54451 in the **Federal Register** Issue of September 20, 1979, was missing. The correct file line is [FR Doc. 79-29419 Filed 9-19-79; 10:48 am]

Billing code 1505-01-M

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Presidential Documents

Executive Order 12159 of September 20, 1979

Creating an Emergency Board To Investigate Disputes Between the Chicago, Rock Island, Pacific Railroad & Peoria Terminal Company and Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express and Station Employees; and the United Transportation Union

Disputes exist between the Chicago, Rock Island, Pacific Railroad & Peoria Terminal Company and certain of its employees represented by both the Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express and Station Employees; and the United Transportation Union.

These disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

These disputes in the judgment of the National Mediation Board threaten substantially to interrupt interstate commerce to a degree such as to deprive a section of the country of essential transportation service:

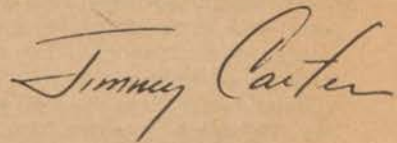
NOW, THEREFORE, by the authority vested in me by Section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), it is hereby ordered as follows:

1-101. *Establishment of Board.* There is established a board of three members to be appointed by the President to investigate these disputes. No member of the board shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier.

1-102. *Report.* The board shall report its finding to the President with respect to these disputes within 30 days from the date of this Order.

1-103. *Maintaining Conditions.* As provided by Section 10 of the Railway Labor Act, as amended, from this date and for 30 days after the board has made its report to the President, no change, except by agreement, shall be made by the Chicago, Rock Island, Pacific Railroad & Peoria Terminal Company, or by its employees, in the conditions out of which these disputes arose.

THE WHITE HOUSE,
September 20, 1979.



International Instruments

Document No. 10 of November 1957

Containing no provisions, found to be inconsistent with the Charter, which relate to the International Convention for the Protection of the Rights of the Child, signed at Geneva on November 20, 1954, and the United Nations Convention on the Rights of the Child, signed at New York on November 20, 1954.

The Convention on the Rights of the Child, signed at Geneva on November 20, 1954, and the United Nations Convention on the Rights of the Child, signed at New York on November 20, 1954, are both instruments of the United Nations.

The Convention on the Rights of the Child, signed at Geneva on November 20, 1954, is a treaty of the United Nations.

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THE UNITED NATIONS
NEW YORK, 1954

Rules and Regulations

Federal Register

Vol. 44, No. 185

Friday, September 21, 1979

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 213, 230, 301, 310, 315, 351, 511, 534, 550, 572, 630, and 930

Civil Service Reform; Final Regulations

AGENCY: Office of Personnel Management.

ACTION: Final regulations.

SUMMARY: These final regulations, published as interim regulations on February 16, 1979, implement sections 3(5) of the Civil Service Reform Act of 1978 and 5 U.S.C. 1104 and provide a general basis for delegation to permit agencies to take specific personnel actions without prior approval by the Office of Personnel Management.

EFFECTIVE DATE: September 21, 1979.

FOR FURTHER INFORMATION CONTACT: Lynn Waldorf, Analysis and Development Division, Agency Compliance and Evaluation, Office of Personnel Management, Room 5478, 1900 E Street, NW., Washington, D.C. 20415, (202) 632-4473.

SUPPLEMENTARY INFORMATION:

Background and Delegations

In complying with sections 3(5) of the Civil Service Reform Act of 1978 and 5 U.S.C. 1104, the Office of Personnel Management published interim regulations to provide for delegation of greater personnel management authority to agencies by removing prior OPM approval and delegating authority on a blanket basis. These interim regulations were published in the Federal Register on February 16, 1979 (44 FR 10041) and delegated to agencies authority to take the following actions without prior Office approval: (1) Appointment of severely handicapped or mentally retarded sons and daughters for summer or student employment; (2) employment

at Federal mental institutions of former patients of those institutions; (3) contract or part-time employment of local physicians, surgeons, or dentists; (4) extension of appointments of graduate students who are using their Federal employment to meet academic requirements; (5) employment of inmates under work-release programs; (6) summer employment of finalists in national science contests; (7) emergency indefinite appointments under specified emergency conditions; (8) overseas limited appointments; (9) appointments for up to 60 days as an exception to statutory nepotism restrictions in an emergency; (10) noncompetitive appointments based on White House service; (11) noncompetitive appointments of certain disabled veterans; (12) conversion of employees serving under indefinite or status quo appointments pending establishment of a register; (13) extension of RIF notice period beyond 180 days; (14) exclusion from General Schedule and approval of maximum stipends for certain student employees; (15) payment of an employee for more than one position for more than a total of 40 hours a week; (16) waiver of reduction in military retirement pay for retired regular officers; (17) payment of travel and transportation expenses to first post of duty; (18) exclusion of Presidential appointees from annual and sick leave; (19) use of alternate standards for motor vehicle operator, and (20) waiver of road test for motor vehicle operators.

Additionally, the Federal Personnel Manual and other appropriate issuances will be changed to allow delegation of the following authorities: (1) Extension of details beyond 120 days; (2) appointment of experts and consultants; (3) extension of one month temporary limited appointments for special needs; (4) appointments based on legislative or judicial service; (5) waiver of limitation on appointment of retired military within 180 days of discharge; (6) extension of temporary limited appointment authority beyond 12 months for certain wage grade positions.

OPM will provide guidance as necessary to implement these delegations, set minimum standards of performance and monitor agency use to assure that all personnel actions follow merit principles.

Comments

During the 120 day comment period which ended June 16, 1979, the Office of Personnel Management received comments from four organizations. As a result of comments and suggestions received during this period, the Office has modified the final regulations as discussed below. The Office will also supplement the regulations with guidance issued through the Federal Personnel Manual System.

Proposed Changes in Interim Regulations, Waiver of Reduction of Military Retirement Pay

The interim regulations delegate authority to agencies to approve exceptions to 5 U.S.C. 5532(b) based on special or emergency employment needs which cannot otherwise be readily met. Agency exceptions, however, are limited to regular officers retiring on or before January 11, 1979, and to certain other individuals, in positions as of October 13, 1978, who had not yet reached the applicable retirement age. The Office of Personnel Management may approve exceptions, based on special or emergency employment needs, to 5 U.S.C. 5532 (a), (b), and (c) until January 11, 1984, for qualified medical officer applicants retiring on or after January 12, 1979.

A Federal agency pointed out that there is a continuing shortage of physicians both inside and outside the Government. Thus, when recruiting for these individuals, it is not uncommon for them to have higher paying non-Federal employment opportunities. As a result, retired military physicians are usually recruited prior to or immediately upon release from active duty, and timely action upon requests for exceptions is required. The recommendation, therefore, was made that agencies also be delegated authority to approve those exceptions currently approved by OPM. We believe that it is more appropriate to retain the prior approval authority within OPM at this time. However, an agency may make a request for such delegation to the agency providing they meet specified reporting and monitoring requirements.

As an added note, the final regulations implementing the dual compensation provisions of the Civil Service Reform Act have been issued in the Federal Register, July 31, 1979, (44 FR

44814) and, therefore, are not repeated in this submission.

Payment for Travel and Transportation to First Post of Duty

Another Federal agency commented on Part 572—Travel and Transportation Expenses: New Appointees and recommended two additions to the regulations under Part 572.

This first recommendation is that § 572.101, paragraph (b) be revised to include the following: "and in accordance with the Federal Travel Regulations, FPMR 101-7." Under Chapter 57 of Title 5, United States Code, the General Services Administration has the responsibility to prescribe the regulations governing employee travel and relocation allowances. These allowances are implemented in the Federal Travel Regulations (FTR), FPMR 101-7. The FTR (paragraph 2-1.5 f (1)(a)) currently requires the designation of shortage category positions by the former Civil Service Commission as a prerequisite to certain relocation allowances.

Paragraph (a) of § 572.101 of the interim regulations delegates this authority to heads of agencies for individual positions in level GS-16 and above (or equivalents). Because this is not currently cited in the Federal Travel Regulations, FPMR 101-7, but is governed by them, it is appropriate to add the revision suggested by the agency.

The second recommendation concerns adding a regulation concerning travel expenses for new appointees to the Senior Executive Service. Because the Civil Service Reform Act amended 5 U.S.C. 5723 to authorize certain travel and transportation allowances to first duty station for newly appointed members of the Senior Executive Service, a new section has been added to cover this provision.

Other Comments

The remainder of the comments dealt with the potential for abuse of the delegations by the agencies. The comments stressed the need for close monitoring by OPM to ensure that agencies are properly implementing the authorities. The potential for abuse was recognized in the initial consideration of delegation by both Congress and the Civil Service Commission/Office of Personnel Management (CSC/OPM). While authorizing delegation, the Civil Service Reform Act (CSRA) also charged OPM with establishing and maintaining an oversight program to ensure that agencies comply with all applicable laws, rules, and regulations in administering the delegated

authorities. The Act also set up a Special Counsel in the Merit Systems Protection Board to investigate merit abuse and to provide protection for whistle-blowers, as well as to provide for audits by GAO. The combination of these safeguards, along with the fact that agencies must adhere to FPMR guidelines, has the effect of reducing the risk of abuse. The balancing of minimized potential for abuse against substantial improvement in agency flexibility and responsiveness justifies the continued delegation of these authorities.

If OPM finds that any action taken by an agency is contrary to law, rule, or regulation, it will direct the agency to take appropriate corrective action. Where a pattern of error conclusively demonstrates either that the agency or one of its activities is unable to successfully manage the authorities, OPM will have the option of temporarily suspending, modifying or withdrawing any delegated authority.

In addition, OPM will conduct a study of the results of increased delegation in a cross-section of agency installations. The objectives of this study include determining whether delegations of authority to agencies are perceived as helping managers to do their jobs better; determining whether delegation has reduced delays affecting agency personnel actions; and identifying problems agencies are having in realizing the benefits of delegation or in applying newly delegated authorities.

Office of Personnel Management,
Beverly M. Jones,
Issuance System Manager.

Accordingly, 5 CFR is amended as set forth below:

PART 213—EXCEPTED SERVICE

(1) Sections 213.3101(b), and 213.3102, paragraphs (h), (n), (p), (x), and (y) are amended as follows:

§ 213.3101 Positions other than those of a confidential or policy-determining character for which it is not practicable to examine.

(b) An agency (including a military department) may not appoint the son or daughter of a civilian employee of that agency, or the son or daughter of a member of its uniformed service, to a position listed in Schedule A for summer or student employment within the United States. This prohibition does not apply to the appointment of persons (1) who are eligible for placement assistance under the Office of Personnel Management's Displaced Employee (DE) Program, (2) who are employed to meet

urgent needs resulting from an emergency posing an immediate threat to life or property, or (3) who are members of families which are eligible to receive financial assistance under a public welfare program or the total income of which in relation to family size does not exceed limits established by the Office of Personnel Management and published in the Federal Personnel Manual, or (4) who are severely physically handicapped or mentally retarded.

§ 213.3102 Entire executive civil service.

(h) Positions in Federal mental institutions when filled by persons who have been patients of such institutions and been discharged and are certified by an appropriate medical authority thereof as recovered sufficiently to be regularly employed but it is believed desirable and in the interest of the persons and the institution that they be employed at the institution.

(n) Any local physician, surgeon, or dentist employed under contract or on a part-time or fee basis.

(p) Positions of a scientific, professional or analytical nature when filled by bona fide graduate students at accredited colleges or universities provided that the work performed for the agency is to be used by the student as a basis for completing certain academic requirements toward a graduate degree. Appointments under this authority may not exceed 1-year, but may be extended for additional period(s) not to exceed 1-year as long as the conditions for appointment continue to be met. The appointment of any individual under this authority shall terminate upon the individual's completion of requirements for the graduate degree.

(x) Positions for which a local recruiting shortage exists when filled by inmates of Federal, District of Columbia and State (including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands) penal and correctional institutions under work-release programs authorized by the Prisoner Rehabilitation Act of 1965, the District of Columbia Work Release Act, or under work-release programs authorized by the States. Initial appointments under this authority may not exceed 1-year. An initial appointment may be extended for one or more periods not to exceed 1 additional

year each upon a finding that the inmate is still in a work-release status and that a local recruiting shortage still exists. No person may serve under this authority longer than 1-year beyond the date of that person's release from custody.

(y) Positions at grade GS-2 and below for summer employment, as defined in § 213.3101(d), of assistants to scientific, professional, and technical employees, when filled by finalists in national science contests.

PART 230—ORGANIZATION OF THE GOVERNMENT FOR PERSONNEL MANAGEMENT

(2) Section 230.402 is amended to read as follows:

§ 230.402 Agency authority to make emergency-indefinite appointments in a national emergency.

(a) *Basic authority.* In a national emergency, as defined in the Federal Personnel Manual, an agency may make emergency-indefinite appointments to continuing positions (normally those expected to last longer than a year) when it is not in the public interest to make career or career-conditional appointments. Except as provided by paragraphs (b) and (c) of this section, the agency shall make appointments under this authority from appropriate registers of eligibles as long as there are available eligibles.

(b) *Appointment outside the register.* An agency may make emergency-indefinite appointments under this section outside registers of eligibles when all the following conditions are met:

(1) A number of vacancies must be filled immediately as a result of conditions created by the national emergency;

(2) Either the number of vacancies to be filled exceeds the number of immediately available eligibles or emergency conditions do not allow sufficient time to make this determination; and

(3) Available eligibles on registers are given prior or concurrent consideration for appointment to the extent possible within emergency time considerations.

(c) *Appointment noncompetitively.* An agency may give emergency-indefinite appointments under this section to the following classes of persons without regard to registers of eligibles and the provisions in § 332.102 of this chapter:

(1) Persons who were recruited on a standby basis prior to the national emergency in accordance with applicable requirements published in the Federal Personnel Manual;

(2) Members of the National Defense Executive Reserve, designated in accordance with section 710(e) of the Defense Production Act of 1950, Executive Order 11179 of September 22, 1964, and applications issued by the agency authorized to implement the law and Executive Order; and

(3) Former Federal employees eligible for reinstatement.

(d) *Tenure of emergency-indefinite employees.* (1) Emergency-indefinite employees do not acquire a competitive status on the basis of their emergency-indefinite appointments.

(2) An emergency-indefinite appointment may be continued for the duration of the emergency for which it is made.

(e) *Trial period.* (1) The first year of service of an emergency-indefinite employee is a trial period.

(2) The agency may terminate the appointment of an emergency-indefinite employee at any time during the trial period. The employee is entitled to the procedures set forth in § 315.804 or § 315.805 of this chapter as appropriate.

(f) *Eligibility for within-grade increases.* An emergency-indefinite employee serving in a position subject to the General Schedule is eligible for within-grade increases in accordance with Subpart D of Part 531 of this chapter.

(g) *Applications of other regulations.* (1) The term "indefinite employee" as used in the following includes an emergency-indefinite employee: Section 316.801, Part 351, Part 353, Subpart G of Part 550, and Part 752 of this chapter.

(2) The selection procedures of Part 333 of this chapter apply to emergency-indefinite employees appointed outside the register under paragraph (b) of this section.

(3) Despite the provisions in § 831.201(a)(11) of this chapter, an employee serving under an emergency-indefinite appointment under authority of this section is excluded from retirement coverage, except as provided in paragraph (b) of § 831.201 of this chapter.

(h) *Promotion, demotion, or reassignment.* An agency may promote, demote, or reassign an emergency-indefinite employee to any position for which it is making emergency-indefinite appointments.

PART 301—OVERSEAS EMPLOYMENT

(3) Part 301 is amended by substituting a new § 301.201; amending and renumbering § 301.202 and § 301.203 and renumbering §§ 301.204–301.207 to become §§ 301.202–301.206 and substituting the word "OPM" for the

word "Commission". Part 301 is amended to read as follows:

§ 301.201 Appointment of United States citizens recruited overseas.

An agency may give an overseas limited appointment without competitive examination to a United States citizen recruited overseas, unless there is an adequate and appropriate register resulting from an examination held in the locality where the vacancy exists.

§ 301.202 Appointment of citizens recruited outside overseas areas.

When an agency determines that unusual or emergency conditions make it infeasible to appoint from a register, it may give an overseas limited appointment to a United States citizen recruited in an area where an overseas limited appointment is not authorized.

§ 301.203 Duration of appointment.

(a) An appointment under this subpart is of indefinite duration unless otherwise limited.

(b) An agency may make an overseas limited term appointment for a period not in excess of 5 years when a time limitation is imposed as a part of a general program for rotating career and career-conditional employees between overseas areas and the United States after specified periods of overseas service.

(c) Under conditions published by the Office of Personnel Management in the Federal Personnel Manual, an agency may make an overseas limited appointment for 1 year or less to meet administrative needs for temporary employment. An agency may extend an appointment made for a period of 1 year or less under this paragraph under conditions published by the Office of Personnel Management in the Federal Personnel Manual.

§ 301.204 Status and trial period.

(a) An overseas limited employee does not acquire a competitive status on the basis of his or her overseas limited appointment. He or she is required to serve a trial period of 1 year when given an overseas limited appointment of indefinite duration or an overseas limited term appointment.

(b) The agency may terminate an overseas limited employee at any time during the trial period. The employee is entitled to the procedures set forth in § 315.804 or § 315.805 of this chapter as appropriate.

§ 301.205 Requirements and restrictions.

The requirements and restrictions in Subpart F of Part 300 and Part 333 of this chapter apply to appointments under this subpart.

§ 301.206 Within-grade increases.

An employee serving under an overseas limited appointment of indefinite duration or an overseas limited term appointment in a position subject to the General Schedule, is eligible for within-grade increases in accordance with Subpart D of Part 531 of this chapter. (5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR, 1954-1958 Comp., p. 218, as amended by E.O. 10641, 3 CFR, 1954-1958 Comp., p. 274)

PART 310—EMPLOYMENT OF RELATIVES

(4) Part 310.202 is amended to read as follows:

§ 310.202 Exceptions.

When necessary to meet urgent needs resulting from an emergency posing an immediate threat to life or property, or a national emergency as defined in the Federal Personnel Manual, a public official may employ relatives to meet those needs without regard to the restrictions in section 3110 of title 5, United States Code, and this part. Appointments under these conditions are temporary not to exceed 1 month, but may be extended for a second month if the emergency need still exists.

PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

(5) The headnotes of § 315.602, § 315.602(a), 315.604(b), and 315.703(a), are amended. As revised §§ 315.602, 315.604 and 315.703 read as follows:

§ 315.602 Appointment based on service in the Office of the President or Vice-President or on the White House Staff.

(a) *Agency authority.* An agency may appoint noncompetitively a person who has served at least 2 years in the immediate Office of the President or Vice-President or on the White House Staff, provided that the appointment is effected without a break in service of 1 full workday.

(b) *Tenure on appointment.* (1) Except as provided in paragraph (b)(2) of this section, a person appointed under paragraph (a) of this section becomes a career-conditional employee.

(2) A person appointed under paragraph (a) of this section becomes a career employee when he or she has completed the service requirement for career tenure or is excepted from it by § 315.201(c).

(c) *Acquisition of competitive status.* A person appointed under paragraph (a) of this section acquires a competitive status automatically on appointment.

§ 315.604 Employment of disabled veterans who have completed a training course under Chapter 31 of Title 38, United States Code.

(a) *Agency authority.* When a disabled veteran completes a course of training prescribed by the Administrator of Veterans' Affairs under chapter 31 of title 38, United States Code, an agency may appoint him or her noncompetitively to the position for which he or she was trained when the Office of Personnel Management determines that the training is adequate for the performance of the duties of the position.

(b) *Conversion.* An agency may convert to career or career-conditional employment a person appointed under paragraph (a) of this section.

(c) *Disqualifications.* Any law, Executive order, or civil service rule or regulation which would disqualify an applicant for appointment also disqualifies him or her for conversion of his or her employment to career or career-conditional employment under this section.

(d) *Tenure on approval of recommendation.* When an agency converts the employee under paragraph (b) of this section, the employee becomes:

(1) A career-conditional employee, except as provided in paragraph (d)(2) of this section; and

(2) A career employee when he or she has completed the service requirement for career tenure or is excepted from it by § 315.201(c).

(e) *Acquisition of competitive status.* A person whose employment is converted to career or career-conditional employment under this section acquires a competitive status automatically on conversion.

§ 315.703a Conversion to career employment from indefinite or temporary employment.

(a) *General.* Employees serving after February 7, 1968, in competitive positions under indefinite appointments or temporary appointments pending establishment of a register or as status quo employees acquire competitive status and are entitled to have their employment converted to career employment when such employees:

(1) Complete a total of at least 3 years of service in such a position under one or more such appointments without a break in service of more than 30 calendar days or without an interruption by nonqualifying service of more than 30 calendar days;

(2) Have rendered satisfactory service for the 12 months immediately preceding the conversion; and

(3) Meet applicable qualification requirements for the positions and are otherwise eligible for career employment. This paragraph does not apply to employees serving under an overseas limited appointment or in positions above GS-15 or equivalent.

(b) *Creditable service.* (1) In computing creditable service under paragraph (a) of this section for an employee who left a competitive position in which he or she was serving under a qualifying appointment covered in paragraph (a) of this section to enter the armed forces and who is reemployed in such a position within 120 calendar days after separation under honorable conditions, the period from the date he or she left the position to the date of reemployment is creditable.

(2) The Office shall publish in the Federal Personnel Manual the conditions under which full-time, part-time, and intermittent employment is creditable in meeting the service requirement under paragraph (a) of this section.

(c) *Termination after failure to meet conversion requirements.* An employing agency shall terminate employees covered by paragraph (a) of this section not later than 90 days after they complete the 3-year service requirement referred to in paragraph (a)(1) of this section, if they have not met the requirements and conditions of paragraphs (a) (2) and (3) of this section before the end of the 90-day period. For an employee who is reemployed after intervening service in the armed forces, the 90-day period begins on the date of reemployment if the employee's combined civilian and military service satisfies the 3-year service requirement on that date.

(d) *Administrative error.* When an employee has met the service requirement under paragraph (a)(1) of this section but, because of administrative error or oversight, has not been converted to career employment within the time limits prescribed in this section, the employing agency may effect the employee's conversion as of the date on which he or she met the service requirement, even though the time limit for such conversion has expired.

PART 351—REDUCTION IN FORCE

(6) Part 351 is amended by deleting paragraph (c) of § 351.801 and revising paragraph (d) and relettering it paragraph (c) so that § 351.801 reads as follows:

§ 531.801 Notice period.

(a) Each competing employee selected for release from his or her competitive level under this part is entitled to a written notice at least 30 full days before the effective date of his or her release.

(b) The notice shall not be issued more than 90-days before release except when the agency determines that additional time will protect employee rights or avoid administrative hardship.

(c) When an agency retains an employee under § 351.606 or § 351.608 the agency may not continue the notice period beyond the employee's retention period. The notice to the employee shall cite the date on which the retention period ends as the effective date of the employee's release from his or her competitive level.

PART 511—CLASSIFICATION UNDER THE GENERAL SCHEDULE

(7) Section 511.201(a) is amended and § 511.201(b) is deleted. Section 511.201 reads as follows:

§ 511.201 Coverage of and exclusions from the General Schedule.

This part and chapter 51 of the title 5, United States Code, apply to all positions in the agencies except those specifically excluded by section 5102 of title 5, United States Code. (5 U.S.C. 5102)

PART 534—PAY UNDER OTHER SYSTEMS

(8) Part 534, Subpart B, § 534.201, is amended by deleting the analysis and text of Subpart B in its entirety and the following is substituted:

Subpart B—Student-Employees in Government Hospitals

- Sec.
534.201 General.
534.202 Coverage.
534.203 Maximum stipends.
534.204 Previous authorizations.

Subpart B—Student-Employees in Government Hospitals**§ 534.201 General.**

Under subchapter V of chapter 53 of title 5, United States Code (U.S.C. 5351-5356), agencies may pay stipends and provide certain services to certain student-employees assigned or attached to hospitals, clinics, or medical or dental laboratories operated by agencies. Student-employees covered under the program are excluded from certain provisions of law relating to classification, General Schedule pay, premium pay, leave, and hours of duty.

This subpart authorizes the coverage of certain positions under this program and establishes maximum stipends for student-employees in the program.

§ 534.202 Coverage.

In addition to the student-employees specified in 5 U.S.C. 5351(2)(A), the following student-employees are covered under this program, provided they are assigned or attached principally for training purposes to a hospital, clinic, or medical or dental laboratory operated by an agency:

(1) Any student-employee whom an agency finds is properly covered under this program, provided that the student-employee is a registered student at an accredited academic institution and that the assignment or attachment for training purposes to the hospital, clinic, or medical or dental laboratory is a part of a medical or dental training program

accredited by an appropriate accrediting body:

(2) Any student-employee whom an agency finds is properly covered under this program, provided that the student-employee, during the period of assignment or attachment to the hospital, clinic, or medical or dental laboratory, will receive experience or training that is required to obtain a certificate or license in a medical or dental field; or

(3) Any student-employee not otherwise covered under this program whom the Office of Personnel Management approves for coverage as a student-employee under this program.

§ 534.203 Maximum stipends.

(a) Except as authorized under paragraph (b) or (c) of this section, stipends are to be set by the agency, subject to the maximum stipends prescribed in the following table:

Maximum Stipends Prescribed

Code symbol	Academic level of approved training program	Maximums by grade and step ¹
L-A	Below high school graduation	GS-1-1 (minus 3 steps).
L-1	First year college undergraduate	GS-2-1 (minus 3 steps).
L-2	Second year college undergraduate	GS-3-1 (minus 3 steps).
L-3	Third year college undergraduate	GS-3-3 (minus 3 steps).
L-4	Fourth year college undergraduate	GS-4-2 (minus 3 steps).
L-5	First year postgraduate predoctoral	GS-5-1 (minus 3 steps).
L-6	Second year postgraduate predoctoral	GS-7-1 (minus 3 steps).
L-6	Third year medical school	GS-7-1 (minus 3 steps).
L-7	Third year postgraduate predoctoral	GS-9-1 (minus 3 steps).
L-7	Fourth year medical school	GS-9-1 (minus 3 steps).
L-8	Fourth year postgraduate predoctoral	GS-10-1 (minus 3 steps).
L-8	Medical or dental internship	GS-10-1 (minus 3 steps).
L-9	Fifth year postgraduate w/o doctorate	GS-11-1 (minus 3 steps).
L-9	First year postgraduate (Ph. D.)	GS-11-1 (minus 3 steps).
L-9	First year medical or dental residency	GS-11-1 (minus 3 steps).
L-10	Second year postdoctoral (Ph. D.)	GS-12-1 (minus 3 steps).
L-10	Second year medical or dental residency	GS-12-1 (minus 3 steps).
L-11	Third year medical or dental residency	GS-12-4 (minus 3 steps).
L-11	Fourth year medical or dental residency	GS-13-1 (minus 3 steps).
L-13	Fifth year medical residency	GS-14-1 (minus 3 steps).

¹ The maximum money amount in each case is derived by subtracting from the statutory salary for the appropriate grade a sum equivalent to three step increments of that grade. This amount includes overtime pay, maintenance allowances, and other payments in money or kind.

(b) An agency may pay a student-employee a stipend in excess of the amount prescribed under paragraph (a) of this section only if the Office of Personnel Management has determined that a higher maximum stipend is warranted for the student-employee.

(c) Maximum stipends for positions in the Public Health Service in which duty requires intimate contact with persons afflicted with leprosy are increased above the rates prescribed in paragraph (a) of this section to the same extent that additional pay is provided by Public Health Service Regulations (42 CFR 22.1) for employees subject to the General Schedule (Part 531 of this chapter).

(d) Overtime pay, maintenance allowances, and other payments in money or kind for a student-employee must be considered as part of the student-employee's stipend for the purposes of this section, and therefore, may not be used to cause the stipend to exceed the maximum stipend established under this section.

(e) A trainee at a non-Federal hospital, clinic, or medical or dental laboratory who is assigned to a Federal hospital, clinic, or medical or dental laboratory as an affiliate for a part of his or her training may not receive a stipend from the Federal agency other than any maintenance allowance that is provided.

§ 534.204 Previous authorizations.

The provisions of this subpart do not terminate any authorization approved by the Civil Service Commission or the Office of Personnel Management before February 15, 1979, and such authorizations remain in effect until modified or terminated by an agency or the Office of Personnel Management in accordance with the provisions of this subpart.

PART 550—PAY ADMINISTRATION (GENERAL)

(9) Section 550.504 and § 550.603 and its headnote are revised as follows:

§ 550.504 Other exceptions.

(a) When a department, agency, or the government of the District of Columbia encounters difficulty in obtaining employees to perform required personal services because of section 5533(a) of title 5, United States Code, it may make an exception from that section upon determining that the required services cannot be readily obtained otherwise. The exception shall specify the position(s) to which it applies.

(b) The Office of Personnel Management will publish in the Federal Personnel Manual exceptions of general application.

§ 550.603 Exceptions to reduction in retired or retainer pay.

(a) Under conditions set forth in the Federal Personnel Manual, an agency may make exception to the restrictions in 5 U.S.C. 5532(b), without regard to the provisions of 5 U.S.C. 5532 (c) and (e), when the exception is warranted because of special or emergency employment needs which otherwise cannot be readily met. Such exceptions shall apply while the individual for whom the exception was granted continues to serve in the same position. This subsection applies only to:

(i) Any retired officer of a regular component of the uniformed services who was receiving retired pay on or before January 11, 1979;

(ii) Any individual employed in a position on October 13, 1978, so long as the individual continues to hold any such position (disregarding any break in service of 3 days or less) if the individual, on that date, would have been entitled to retired or retainer pay but for the fact that the individual did not satisfy any applicable age requirement.

(b) Except as otherwise provided in subsection (a), the Office may, during the period until January 11, 1984, authorize exceptions to the restrictions in 5 U.S.C. 5532 (a), (b), and (c) only when necessary to meet special or

emergency employment needs which result from a severe shortage of well qualified candidates in positions of medical officers which otherwise cannot be readily met. Such exception granted by the Office with respect to any individual shall terminate upon a break in service of 3 days or more.

(5 U.S.C. § 5532) (Pub. L. 95-454 [5 U.S.C. 1101 Note])

PART 572—TRAVEL AND TRANSPORTATION EXPENSES; NEW APPOINTEES

(10) Part 572 is added as follows:

Subpart A—General Provisions

Sec.

572.101 Determination of manpower shortage for positions at level GS-16 and above (or equivalents).

572.201 Senior Executive Service: New Appointees.

Authority: 5 U.S.C. 5723.

Subpart A—General Provision**§ 572.101 Determination of manpower shortage for positions at level GS-16 and above (or equivalents).**

(a) The head of a department or agency shall have the responsibility for determining whether a manpower shortage exists for individual positions in level GS-16 and above (or equivalents). In making such determination, the head shall consider the specific items and guidance material in the Federal Personnel Manual.

(b) A determination that a manpower shortage exists is required before a department or agency may pay travel and transportation expenses for new appointees under section 5723 of title 5, United States Code, and in accordance with the Federal Travel Regulations, FPMR 101-7.

§ 572.201 Senior Executive Service: New appointees.

A department or agency may pay travel and transportation expenses for new appointees under section 5723 of title 5, United States Code.

PART 630—ABSENCE AND LEAVE

(11) Part 630, Subpart B, is amended by adding § 630.211 as follows:

§ 630.211 Exclusion of Presidential appointees.

(a) *Authority.* Section 6301(2)(xi) of title 5, United States Code, authorizes the exclusion of certain Presidential appointees in the executive branch or the government of the District of Columbia from the annual and sick leave provisions of subchapter I of chapter 63 of title 5, United States Code,

and from the related provisions of this Part. This authority does not apply to Presidential appointees paid more than the rate for GS-18, who are excluded from the leave provisions by 5 U.S.C. 6301(2)(x), nor does it apply to United States Attorneys or United States Marshals, who may not be excluded from the leave provisions. The President, by Executive Order 10540, as amended, has delegated to the Office of Personnel Management the responsibility for making exclusions under section 6301(2)(xi), and the Office of Personnel Management delegated responsibility to the heads of agencies in accordance with the provisions of this section.

(b) *Criteria for exclusions.* The head of an agency may exclude an officer in the agency from the annual and sick leave provisions only if the officer meets all of the following criteria:

(1) The officer is a Presidential appointee;

(2) The rate of pay for the officer's position does not exceed the rate for GS-18 (Presidential appointees paid more than the rate for GS-18 being automatically excluded from annual and sick leave); and

(3) The officer's responsibilities for carrying out the duties of the position continue outside normal duty hours and while away from the normal duty post.

(c) *Revocation of exclusion.* The head of an agency may revoke an exclusion from the annual and sick leave provisions which was made under this section.

(d) *Reports.* The head of an agency must report any exclusion, or revocation of an exclusion, authorized under this section to the Office of Personnel Management.

(e) *Continuation of previous authorizations.* Any officer in an agency who was excluded by action of the President or the Civil Service Commission prior to February 15, 1979, from the annual and sick leave provisions under the authority of 5 U.S.C. 6301(2)(xi) shall continue to be excluded from annual and sick leave unless the exclusion is revoked by the agency under the provisions of this section.

(5 U.S.C. 6311)

PART 930—PROGRAMS FOR SPECIFIC POSITIONS AND EXAMINATION (MISCELLANEOUS)

(12) Sections 930.105 and 930.107 are revised to read as follows: paragraphs (a) and (b) of 930.107 are amended by substituting the word "OPM" for the word "Commission".

§ 930.105 Office of Personnel Management standards and procedures required.

An agency shall adopt and use the Office of Personnel Management's testing procedures in filling competitive and excepted operator positions unless the agency develops alternate standards and procedures which meet the objectives of the motor vehicle operator program.

§ 930.107 Waiver of practical road test.

(a) The Office of Personnel Management waives the practical road test requirement for operators of vehicles of one ton load capacity or less who possess a current driver's license from one of the 50 States, District of Columbia, or Puerto Rico, where the employee is domiciled or principally employed except for operators of buses, and vehicles used for (1) transportation of dangerous materials, (2) law enforcement, or (3) emergency services.

(b) The Office of Personnel Management waives the practical road test requirement for operators of any class of vehicle who possess a current driver's license from one of the 50 States, District of Columbia, or Puerto Rico, where the employee is domiciled or principally employed, for the specific type of vehicle to be operated.

(c) An agency may waive the practical road test requirement for operators not covered in paragraph (a) or (b) of this section when qualified examiners or test facilities are not available in the area and the operator position is to be filled by (1) temporary appointment pending establishment of a register, (2) temporary limited appointment, (3) noncompetitive temporary appointment, (4) reinstatement, (5) position change, or (6) transfer.

(5 U.S.C. 1104; Pub. L. 95-454, § 3(5))

[FR Doc. 79-29207 Filed 9-20-79; 8:45 am]

BILLING CODE 6325-01-M

5 CFR Part 831

Retirement; Exclusions From Retirement Coverage; Senior Executive Service

AGENCY: Office of Personnel Management.

ACTION: Interim regulation with request for comments.

SUMMARY: These regulations are being issued under the Civil Service Retirement Act to exclude from retirement coverage limited term, limited emergency, and noncareer (indefinite) appointees in the Senior Executive

Service established by the Civil Service Reform Act.

DATES: Regulation effective September 21, 1979. Written comments will be considered if received by November 20, 1979.

ADDRESS: Comments should be directed to Craig B. Pettibone, Chief, Office of Policy Development and Technical Services, Compensation Group, Office of Personnel Management, 1900 E St., NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: Edward G. Borchers, Technical Services Section, Compensation Group, Room 4334, 1900 E St., NW., Washington, DC 20415, 202-632-4684.

SUPPLEMENTARY INFORMATION: This regulation is issued under the authority of section 8347(g) of title 5, United States Code, which provides that the Office of Personnel Management may exclude from coverage under the Civil Service retirement system an employee or group of employees in or under an Executive agency who are employed on a temporary (noncareer) basis.

The regulation excludes all employees in the Senior Executive Service (SES) receiving limited emergency appointments (which may not exceed 18 months) or limited term appointments (which may not exceed 3 years) from retirement coverage. Both appointments are nonrenewable and thus clearly contemplate only temporary service in the Government. Exclusion from retirement coverage for employees serving under these appointments is similar to the exclusion already provided for non-SES employees serving under temporary or term appointments.

The regulation also provides that a noncareer appointee in the Senior Executive Service will be excluded from retirement coverage if the appointment is designated as "indefinite." This provision is similar to what is currently in the regulations for employees serving under Schedule C appointments or noncareer executive assignments. A noncareer appointee in the Senior Executive Service who expects to stay only a short time in the Government may have his or her appointment designated as "indefinite" so that retirement coverage is not applicable. Other noncareer appointees (whose appointments are not designated as "indefinite") will receive retirement coverage.

These regulations do not, however, exclude employees who convert to the Senior Executive Service under the provisions of section 413 of the Civil Service Reform Act of 1978, and who have retirement coverage prior to conversion. These employees will

continue to receive retirement coverage even if they have a limited or noncareer appointment in the Senior Executive Service. Section 831.201(b) of Title 5, CFR, provides for continuity of coverage whenever an employee moves from a covered position to one which is normally excluded from retirement coverage.

Note.—Under exception (d)(3) of 5 U.S.C. 553, the Office of Personnel Management is waiving the 30-day notice requirement in rulemaking and issuing the following interim regulation. Inasmuch as the Civil Service Reform Act, which became effective on January 11, 1979, established a new Senior Executive Service, which became operative July 13, 1979, the Office is invoking the cited exception to avoid limited term SES appointments from being made with inappropriate retirement coverage.

Accordingly, § 831.201(a) of Part 831, Title 5, Code of Federal Regulations is amended by adding a new paragraph (17) as set out in the following:

§ 831.201 Exclusions from retirement coverage.

(a) * * *

(17) Employees serving under limited term, limited emergency and noncareer (designated as indefinite) appointments in the Senior Executive Service.

* * * * *

[5 U.S.C. 8347]

Office of Personnel Management,

Beverly M. Jones,

Issuance System Manager.

[FR Doc. 79-29418 Filed 9-20-79; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 910

[Lemon Regulation 218]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona lemons that may be shipped to market during the period September 23-29, 1979. Such action is needed to provide for orderly marketing of fresh lemons for this period due to the marketing situation confronting the lemon industry.

EFFECTIVE DATE: September 23, 1979.

FOR FURTHER INFORMATION CONTACT: Malvin E. McGaha, 202-447-5975.

SUPPLEMENTARY INFORMATION: Findings. This regulation is issued under the

marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The action is based upon the recommendations and information submitted by the Lemon Administrative Committee, and upon other information. It is hereby found that this action will tend to effectuate the declared policy of the act.

The committee met on September 18, 1979, to consider supply and market conditions and other factors affecting the need for regulation and recommended a quantity of lemons deemed advisable to be handled during the specified week. The committee reports the demand for lemons is steady.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the *Federal Register* (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared policy of the act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

Further, in accordance with procedures in Executive Order 12044, the emergency nature of this regulation warrants publication without opportunity for further public comment. The regulation has not been classified significant under USDA criteria for implementing the Executive Order. An Impact Analysis is available from Malvin E. McGaha, 202-447-5975.

Section 910.518 is added as follows:

§ 910.518 Lemon Regulation 218.

Order. (a) The quantity of lemons grown in California and Arizona which may be handled during the period September 23, 1979, through September 29, 1979, is established at 200,000 cartons.

(b) As used in this section, "handled" and "carton(s)" mean the same as defined in the marketing order.

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

Dated: September 19, 1979.

D. S. Kuryloski,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 79-29665 Filed 9-20-79; 12:22 pm]

BILLING CODE 3410-02-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 153

[TD 79-247]

Antidumping; Kraft Condenser Paper From France

AGENCY: U.S. Treasury Department.

ACTION: Finding of Dumping.

SUMMARY: This notice is to inform the public that separate investigations conducted under the Antidumping Act, 1921, as amended, by the U.S. Treasury Department and the U.S. International Trade Commission, respectively, have resulted in determinations that kraft condenser paper from France is being sold at less than fair value and that these sales are injuring an industry in the United States. On this basis, all unappraised entries of this merchandise will be liable for the possible assessment of special dumping duties.

EFFECTIVE DATE: September 21, 1979.

FOR FURTHER INFORMATION CONTACT:

David Mueller, Duty Assessment Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229, telephone (202) 566-5492.

SUPPLEMENTARY INFORMATION: Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as the "Act"), gives the Secretary of the Treasury responsibility for determining whether imported merchandise is being sold at less than fair value. Pursuant to this authority, the Secretary has determined that kraft condenser paper from France is being sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)). (Published in the *Federal Register* of June 4, 1979 (44 FR 32065)).

Section 201(a) of the Act (19 U.S.C. 160(a)) gives the United States International Trade Commission responsibility for determining whether, by reason of such sales at less than fair value, a domestic industry is being or is likely to be injured. The Commission has determined, and on August 30, 1979, it notified the Secretary of the Treasury, that an industry in the United States is being injured by reason of the importation of kraft condenser paper from France that is being sold at less than fair value within the meaning of the Act. Notice of this determination was

published in the *Federal Register* of September 6, 1979 (44 FR 52046).

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to kraft condenser paper from France.

For purposes of this notice, the term "kraft condenser paper" means capacitor tissue or condenser paper containing 80 percent or more by weight of chemical sulphate or soda wood pulp based on total fiber content.

§ 153.46 [Amended]

Accordingly, § 153.46 of the Customs Regulations (19 CFR 153.46) is being amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	Country	Treasury decision
Kraft condenser paper	France	79-247

(Sec. 201, 407, 42 Stat. 11, as amended, 18 (19 U.S.C. 160, 173)).

David R. Brennan,

Acting General Counsel of the Treasury.

September 14, 1979.

[FR Doc. 79-29403 Filed 9-20-79; 8:45 am]

BILLING CODE 4810-22-M

19 CFR Part 153

[TD 79-245]

Antidumping; Kraft Condenser Paper From Finland

AGENCY: U.S. Treasury Department.

ACTION: Finding of Dumping.

SUMMARY: This notice is to inform the public that separate investigations conducted under the Antidumping Act, 1921, as amended, by the U.S. Treasury Department and the U.S. International Trade Commission, respectively, have resulted in determinations that kraft condenser paper from Finland is being sold at less than fair value and that these sales are injuring an industry in the United States. On this basis, all unappraised entries of this merchandise will be liable for the possible assessment of special dumping duties.

EFFECTIVE DATE: September 21, 1979.

FOR FURTHER INFORMATION CONTACT:

Holly Kuga, Duty Assessment Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229, telephone (202) 566-5492.

SUPPLEMENTARY INFORMATION: Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as the "Act"), gives the Secretary of the Treasury responsibility

for determining whether imported merchandise is being sold at less than fair value. Pursuant to this authority, the Secretary has determined that kraft condenser paper from Finland is being sold at less than fair value within the meaning of section 201(a) of the act (19 U.S.C. 160(a)). (Published in the Federal Register of June 4, 1979 (44 FR 32063)).

Section 201(a) of the Act (19 U.S.C. 160(a)) gives the United States International Trade Commission responsibility for determining whether, by reason of such sales at less than fair value, a domestic industry is being or is likely to be injured. The Commission has determined, and on August 30, 1979, it notified the Secretary of the Treasury, that an industry in the United States is being injured by reason of the importation of kraft condenser paper from Finland that is being sold at less than fair value within the meaning of the Act. Notice of this determination was published in the Federal Register of September 6, 1979 (44 FR 52046).

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to kraft condenser paper from Finland.

For purposes of this notice, the term "kraft condenser paper" means capacitor tissue or condenser paper containing 80 percent or more by weight of chemical sulphate or soda wood pulp based on total fiber content.

§ 153.46 [Amended]

Accordingly, § 153.46 of the Customs Regulations (19 CFR 153.46) is being amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	Country	Treasury Decision
Kraft condenser paper	Finland	79-245.

(Sec. 201, 407, 42 Stat. 11, as amended, 18 (19 U.S.C. 160, 173)).

David R. Brennan,

Acting General Counsel of the Treasury.

September 14, 1979.

[FR Doc. 79-29404 Filed 9-20-79; 8:45 am]

BILLING CODE 4810-22-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

21 CFR Part 558

Coumaphos; New Animal Drugs for Use in Animal Feeds

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The regulations are amended to reflect approval of two supplemental new animal drug applications (NADA's) filed by Bayvet Division of Cutter Labs., Inc. One supplement provides for a waiver of certain requirements of the Federal Food, Drug, and Cosmetic Act for manufacture of finished cattle feed from certain approved coumaphos premixes. The other supplement provides for use of these premixes in preparation of medicated protein concentrates to be added to finished cattle feed. The coumaphos-containing feeds are used to control certain gastrointestinal roundworms.

EFFECTIVE DATE: September 21, 1979.

FOR FURTHER INFORMATION CONTACT: William D. Price, Bureau of Veterinary Medicine (HFV-123), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3442.

SUPPLEMENTARY INFORMATION: Bayvet Division of Cutter Laboratories, Inc., P.O. Box 390, Shawnee Mission, KS 66201, filed two supplemental applications to NADA 15-965. One supplement provides for waiver of the ministerial requirements of section 512(m) of the act (21 U.S.C. 360b(m)) for manufacture of finished cattle feed from currently approved feed premixes containing 1.12, 2.0, or 11.2 percent coumaphos. The other supplement provides for the use of the 1.12, 2.0, and 11.2 percent coumaphos premixes in the preparation of medicated protein concentrates for finished cattle feed. The coumaphos-containing feeds are used to control certain gastrointestinal roundworms in beef and dairy cattle.

Coumaphos, as the sole drug, meets the uniform criteria set forth in the 1971 Bureau of Veterinary Medicine memorandums for administrative waiver of the requirements of section 512(m) of the act. The pertinent provisions of the memorandums indicate that waiver is appropriate if:

(1) The feeding of 1.5× to 2× level of the product in the finished feed does not have an impact on the tissue residue picture, i.e., an impact of an existing withdrawal period or a tolerance.

(2) The product is not a known carcinogen or is not classed with a family of known carcinogens.

(3) Appropriate documentation covering animal safety is on file. This will not require additional generation of data because this documentation is part of the NADA.

(4) The margin of safety to the animal and safety to the consumer is such that

the product label does not have to contain a statement such as "use as the sole source of * * *."

(5) Data are on file to demonstrate that the product is efficacious over the approved range. These data should generally satisfy current standards for the demonstration of efficacy.

(6) Except under special circumstances, the product has been used at least 3 years in the target species without significant complaints related to or associated with it. Applications of this criterion require a review of the available Drug Experience Reports.

The 1971 memorandums made explicit that because waiver of the requirements of section 512(m) of the act is permitted only for specific efficacy claims or at specific levels of the drugs, distinct products with corresponding labeling for those claims or levels should exist. This is necessary to cover those premixes that can be made into finished feeds with various concentrations of drugs.

The foregoing criteria established in the 1971 memorandums constitute an interim agency policy, which is under review. The Bureau of Veterinary Medicine is preparing for the near future a proposed regulation, based on the criteria listed in the memorandums, governing waiver of the 512(m) requirements. In waiving the requirements of section 512(m) of the act, the agency has not waived the current good manufacturing practice requirements of Part 225 (21 CFR Part 225) for feed mills mixing such feeds.

The Director of the Bureau of Veterinary Medicine concludes that the approval of these supplemental applications poses no increased human risk from exposure to residues of the new animal drug. The basis for this conclusion is that the dosage schedule and treatment regimen for the drug are not affected by the approval of the supplemental applications. Accordingly, these approvals do not require a complete reevaluation of the safety and effectiveness data in the parent application.

In accordance with the regulations promulgated under the Freedom of Information Act (see Part 20 (21 CFR Part 20)) and § 514.11(e)(2)(ii) of the animal drug regulations (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application is available for public examination at the office of the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.83), Part 558 is amended in § 558.185 by revising paragraph (b)(1), redesignating the existing text of paragraph (d) as paragraph (d)(1), and adding new paragraph (d)(2) to read as follows:

§ 558.185 Coumaphos.

(b) *Approvals.* (1) Premix levels 1.12, 2.0, 11.2, and 50 percent have been granted for use as in paragraph (f) of this section; for sponsor see 000859 in section 510.600(c) of this chapter.

(d) *Special considerations.* (1) Adequate directions and warnings for use must be given and shall include a statement that coumaphos is a cholinesterase inhibitor and that animals being treated with coumaphos should not be exposed during or within a few days before or after treatment to any other cholinesterase-inhibiting drugs, insecticides, pesticides, or chemicals.

(2) Finished cattle feeds containing not over 0.1 percent coumaphos, manufactured from premixes containing not more than 11.2 percent coumaphos or from protein concentrates containing not over 0.267 percent coumaphos, and conforming to paragraph (f)(1)(ii) of this section are not required to comply with the provisions of section 512(m) of the act.

Effective date. This regulation is effective September 21, 1979.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: September 11, 1979.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 79-29014 Filed 9-20-79; 8:45 am]

BILLING CODE 4110-03-M

DEPARTMENT OF COMMERCE

Maritime Administration

32A CFR Part 1864

Authority and Responsibility of the Operator To Undertake To Decommission and Deliver Ships to Reserve Fleets

AGENCY: Maritime Administration, Department of Commerce.

ACTION: Final rule.

SUMMARY: This final rule is being issued by the National Shipping Authority (NSA) of the Maritime Administration, pursuant to its authority under section 11, Merchant Ship Sales Act of 1964, as amended (50 U.S.C. app. 1744), to administer the National Defense Reserve Fleet (NDRF). It revises 32A CFR Part 1864, which sets forth the responsibilities of a vessel operator for the stripping and deactivation of a vessel preparatory to placing it in layup in the NDRF. This revision modifies these preparation requirements, including dehumidification.

EFFECTIVE DATE: September 21, 1979.

FOR FURTHER INFORMATION CONTACT: John Davis, Chief, Division of Ship Management, Maritime Administration, Washington, D.C. 20230, Tel. (202) 377-3640.

SUPPLEMENTARY INFORMATION: Rulemaking with respect to the NDRF involves a military function of the United States, and is exempt under section 6 of EO 12044 (43 FR 12661, March 24, 1978) and implementing procedures of the Department of Commerce and Maritime Administration (44 FR 2082).

Accordingly, 32A CFR Part 1864 is revised to read as follows:

PART 1864—AUTHORITY AND RESPONSIBILITY OF THE OPERATOR TO UNDERTAKE TO DECOMMISSION AND DELIVER SHIPS TO RESERVE FLEETS

Sec.

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 - Exhibit A—Ship Condition Receipt.
 - Exhibit B—Shipowner/Operators Completion Report.
 - Exhibit C—Cost of Preparing for Layup and Delivery to Fleet.

Authority: Secs. 11(a) and 12(d), Merchant Ship Sales Act of 1964, as amended, (50 U.S.C. App. 1744(a), 1745(d)); sec. 204(b), Merchant Marine Act, 1936, as amended, (46 U.S.C. 1114(b)); Reorganization Plans No. 21 of 1950, 64 Stat. 1273, and No. 7 of 1961, 75 Stat. 840, as amended by Pub. L. 91-469, 84 Stat. 1036; Department of Commerce

Organization Order 10-8 FR 19707, July 23, 1973.

Section 1. Purpose.

The purpose of this order is to set forth the responsibilities of an operator for the stripping and deactivation of a MARAD-owned Ship preparatory to placing it in the National Defense Reserve Fleet for layup.

Sec. 2. Definitions and abbreviations.

(a) *Stripping.* The removal of specified items from the ship or their stowage aboard in designated locations.

(b) *Deactivation.* Work performed of both repair and non-repair nature, designed to restore the ship to a state of good repair and to prepare it for layup.

(c) *Operator.* Any individual or organization responsible for the stripping and deactivation of a ship which is destined for layup in the National Defense Reserve Fleet.

(d) *NDRF*—National Defense Reserve Fleet.

(e) *D/H*—Dehumidification.

(f) *C/P*—Cathodic Protection.

(g) *MARAD*—Maritime Administration.

(h) *Deficiency Survey.* A creditable survey which describes the vessel deficiencies, conducted jointly by representatives of the operator and MARAD.

(i) *Redelivery obligations*—As outlined in the standard "Use Agreement" or "Trade-In" contracts.

(j) *Layup requirements*—The deactivation and preparation of the vessel for layup.

(k) *Operational enhancement*—Any additional work required by the Maritime Administration to be performed during the layup procedure which are not considered redelivery obligations or layup requirements.

(l) *Deferred items*—Work items, which by agreement between the Operator and the Maritime Administration, can be deferred without impacting upon the seaworthiness of or availability of the vessel.

Sec. 3. Administration of work.

(a) *Specifications.* The Operator shall prepare specifications for the work to be accomplished under this Part.

(b) *Approvals.* The specifications must be approved by the Region Director before work begins, or if bidding is involved, before the bids are solicited.

(c) *Supervision.* The Operator shall supervise the work performed to insure that it meets the requirements of this Part in every respect. Final acceptance of the work by the Region Director shall be required.

(d) *Repairs.* All repairs shall be accomplished unless deferred by Chief.

Division of Ship Management, Maritime Administration.

(e) *Loose Asbestos*. All loose asbestos must be removed from the vessel prior to its arrival in the National Defense Reserve Fleet.

Sec. 4. Sequence of work.

The Operator shall schedule and accomplish the items of work in order so as to achieve an orderly and efficient deactivation. In order to determine the quality of steel on the underwater portion of the hull, drydocking of the vessel should be scheduled as the first item of work. The bottom condition and the recommendations of the regulatory agencies will be the critical factors in determining how extensive the ship layup work will be.

Sec. 5. Deficiency Survey.

As soon as practical, but prior to the commencement of shipyard work, a deficiency survey report shall be prepared listing the deficiencies of the ship, its equipment and appurtenances. Such survey shall be made jointly by the Maritime Administration and the Operator. Each item noted for corrective action shall be categorized into three parts—(a) Redelivery obligations of an Operator, (b) Layup requirements, and (c) Operational enhancement items. Deferred items which will require corrective action upon reactivation shall be listed along with the estimated number of man-hours and material cost required for these corrective actions. The survey shall also include all outstanding American Bureau of Shipping and/or U.S. Coast Guard reports and recommendations which the Region Director has determined can be deferred due to the future planned utilization of the ship. One copy of the survey Report shall be sent to the Chief, Division of Ship Management, Maritime Administration, Washington, D.C. 20230, one copy to the Operator, one copy to the appropriate NDRF Superintendent, and one copy to the Maritime Administration Region Office.

Sec. 6. Drydocking.

The Operator shall have the ship drydocked to accomplish the following:

(a) *Bottom Survey*. Bottoms shall be sandwashed to permit complete and detailed inspection. Plates and welds which are wasted, pitted, set in, etc., shall be repaired as necessary to meet regulatory body requirements. Thickness of bottom plating shall be measured by use of ultrasonic measuring apparatus to determine its true condition.

(b) *Cleaning and Painting*—(1) *Bottom Coatings*. Prime and/or pre-treatment

coating, anti-corrosive and anti-fouling paints shall be applied over a cleaned bottom in accordance with MARAD instructions. (2) *Flotation Band*. A six (6) foot band of shell plating from stem to stern including rudder, from four (4) feet above to two (2) feet below line of flotation shall be sandblasted to bare metal. A coal tar epoxy coating system of not less than 14 mils thickness shall be applied in accordance with manufacturer's instructions, if needed, and shall be determined by the on-site MARAD ship surveyor on a ship by ship basis. If the on-site MARAD ship surveyor determines that the hull and paint in the area of the flotation band has not deteriorated to a degree requiring sandblasting, two coats of anti-corrosive and anti-fouling paint referred to above shall be applied up to four (4) feet above line of flotation.

(c) *Anchor Chains*. Anchor chains shall be ranged, washed and gauged. The chain locker and hand pump system shall be drained and thoroughly cleaned. Chains and chain locker shall be coated with approved metal conditioning compound, before the chains are restored. For ships entering the James River Fleet site, the second and third shots of chain, both port and starboard anchor, shall be removed and as one length (2 shots) shall be placed on each side of the fore-castle deck. The anchor and chains shall then be reconnected, less the two shots respectively, and housed as original. Costs for the ranging of the anchor chains shall be for MARAD's account should the most recent regulatory body inspection of anchor chains and chain lockers shall have occurred within one year of this drydock period. Should the period exceed one year, the cost of ranging the anchor chains shall be allocated on a pro rata basis between the Operator and MARAD. The removal and placing of anchor chain on deck is for Operator's layup account.

(d) *Sea Chest Blanks*. Unless otherwise directed, the sea injections and overboard discharge pipes below the flotation line shall be blanked off externally by bolting a steel plate over all such openings. Minimum thickness of plates shall be 1/2 inch. Plates are to be fabricated in accordance with Maritime Administration specifications to enable divers to remove such plates without redrydocking the vessel. Pad eyes shall be fitted to each plate to facilitate salvage when the diver removes securements and gasketing in the process of removing plates. All sea chests and overboard discharge pipes shall be thoroughly cleaned and coated internally with metal conditioning

compound. Sea chests are to be audiogauged as directed by the Maritime Administration.

(e) *Stern tube*. For ships entering the James River Reserve Fleet, each ligum vigae stern tube shall be filled with approximately 400 pounds of approved sea cock grease. The grease shall be injected into the stern tube through the water service line at after peak bulkhead, after which the line shall be reconnected and inlet valve left shut. Care shall be taken to ensure that the water service pipe in way of after peak tank is in good condition. The injection of the grease must be witnessed by a MARAD representative, after which a tag shall be attached to the stern gland showing type of grease used, quantity and date. For all ships fitted with oil lubricated stern tube bearings, the oil reservoirs shall be filled with approved lubricant.

(f) *Tanks*. Peaks, voids and doublebottom tanks which have been used for storing fresh or salt water shall have bleeder plugs removed and shall be thoroughly drained and cleaned. All residual standing water remaining after draining or flushing shall be dried. Where salt water has been stored, the tank shall be thoroughly flushed out with fresh water. Only clean fresh water shall be used if any of these tanks are to be ballasted for stability purposes and this water shall not be added until completion of the foregoing steps. On ships entering the James River Reserve Fleet, tanks which extend above the waterline, having in them ballast water for stability purposes, must be treated to prevent freezing.

(g) *Sea Valves*. After the sea chests have been blanked off, any sea valve or steaming out valve that is installed in such manner that it may hold water in the body of the valve shall be drained by slacking off the bonnet or by other suitable means. In addition, all sea valves shall be coated internally with metal conditioning compound, after which they shall be left tightly closed. Connecting lines shall be broken at the valve flange to promote better diffusion of air throughout the line.

(h) *Rudder-Upper Pintle*. One 3/4" diameter hole shall be drilled through gudgeon and composition bushing to pintle. The hole shall be cleaned thoroughly and tapped for fittings in order to install standard type grease fitting. The upper pintle shall be pumped up with approved type lubricant, using high pressure lubricating equipment while rudder is in motion.

Sec. 7. Items to be removed from ship.

The Operator shall remove items from the ship and dispose of those which are

government-owned or government-controlled in a manner to be prescribed by the Region Director. These items will vary from ship to ship and should include the following if aboard:

Acids
Ballast, liquid and loose aggregate (not required for stability)
Books, library
Cordage, scrap
Cylinder, gas (except CO₂)
Dunnage
Equipment, rented
Firearms, including ammunition
Greases
Inflammables
Lashing, chain
Medicines
Narcotics
Paints, partial containers
Pyrotechnics, all
Stock, bar (steward's dept.)
Stores, slop chest
Stores, subsistence
Supplies, medical

All other material removed from the ship for disposition must be covered by a listing and as directed by the Region Director. Rented equipment shall be removed before the vessel departs for the NDRF. Material removed from the ship to another Maritime Administration activity shall be covered by a Property Transfer notice.

Sec. 8. Items to be left aboard ship.

The Operator shall leave aboard all items which have not been listed under Section 7 and have been judged serviceable by the Region Director. These items include, but are not limited to, the following:

Antenna, radio
Ballast, poured concrete
Barometers
Batteries
Binnacles
Binoculars
Blocks, portable
Blueprints
Books, instruction
Boxes, storage
Canvas
Chronometers
Clinometers
Clocks
Clothing (Steward's dept.)
Compass, gyro
Compass, magnetic
Cordage
Correspondence, ship's
Davits, small gooseneck
Equipment, galley
Equipment, medical (instruments, litters, etc.)
Equipment, office
Equipment, painting
Equipment, pantry
Equipment, safety
Extinguishers, fire
Falls, boat
Fans, room
Finder, direction
Floodlights, detachable

Flags
Fuel, bunker "C" (between 500-1000 bbls. in settling tanks)
Fuel, diesel
Furnishings, room
Gangways, brow
Gratings, weather-deck
Guards, pipe
Gun, lyle
Hoods, binnacle
Hose, fire
Instruments, electrical
Ladders, accommodation
Lashing, chain
Lifeboats, complete with outfitting gear
Lights, debarkation (detachable)
Lights, cargo
Lights, signal
Linens
Lining, grain and ammunition
Log and bell books
Loran
Machines, ice-making
Machines, washing
Machines, sounding
Mattresses
Meters, portable electric
Micrometers
Name Boards, detachable
Navigation instruments (parallel rules, dividers, etc.)
Pillows
Radar(s)
Radio, crew entertainment
Radio telephones
Reels, wire (including wire)
Refrigerators, domestic type
Repeaters, gyro compass
Scanner, radar
Screening, weather-deck ventilating and duct
Searchlights, detachable
Sextants
Spare parts, direction finder
Spare parts, electrical
Spare parts, fathometer
Spare parts, gyro compass
Spare parts, loran
Spare parts, machinery
Spare parts, radar
Spare parts, radio
Stores,¹ consumable (engine dept.)
Stores,¹ consumable (deck dept.)
Stores,¹ consumable (Steward's dept.)
Table, chart
Tableware
Tachometers
Telephone assemblies, sound-powered
weatherdeck
Television sets, color
Tools, electric
Tools, hand
Tools, pneumatic
Typewriters
Watches
Wrenches, propeller and rudder

Openings created by the removal of any of the above items for stowage elsewhere shall be made weather tight. All items left aboard shall be tagged and stored as directed by the Region Director.

¹ Except items listed in Section 7.

Sec. 9. Inventory.

An inventory shall be conducted in accordance with contractual provisions. The inventory shall accurately reflect the quantity and location of each item left aboard. Storerooms shall be sealed promptly upon completion of the inventory, and all storerooms and areas containing pilferable materials shall be welded shut prior to departure of the ship to the NDRF.

Sec. 10. Limiting Drafts.

The draft limits for the active fleet sites are as follows:

Fleet site	Draft limits (feet)
James River, Virginia	24
Beaumont, Texas	18
Suisun Bay, California	18

The foregoing are maximum drafts and are not mean drafts. If the ship's draft when ready for delivery to a fleet site exceeds the maximum listed for that site, the Operator shall immediately contact the Region Director for further instructions.

Sec. 11. Housekeeping measures.

(a) *Weather Decks.* If previously not accomplished, all foreign materials shall be removed from all decks and decks shall then be swept clean.

(b) *Dry Cargo Spaces.* (1) *Holds.* If previously not accomplished, all surfaces within the holds shall be thoroughly broom cleaned, including, but not limited to, beams, overheads, frames, trunks, decks, tanktops, stringers, pipes, ladders, etc., and the debris shall be removed from the ship.

(2) *Ballast and Deep tanks.* Dry cargo residue and loose scale shall be removed from all surfaces and tank covers shall then be replaced and bolted down on good gaskets. Tanks used for ballasting shall be drained, dried and cleaned, unless otherwise directed. Manhole plates above the outside water level shall be wedged in a partly open position. Manhole plates below the outside water level shall be closed watertight.

(3) *Bilges.* Bilges, bilge wells, bilge bays and pipe tunnels shall be thoroughly cleaned and dried. Strainer plates and covers removed from bilges and bilge bays for cleaning operation shall be reinstalled as original. Missing and defective securements shall be replaced as required.

(c) *Cargo tanks, pipe lines, pumps and pump rooms.* All cargo tanks, cargo pipe lines, pumps, pump rooms, etc., shall be thoroughly stripped, cleaned and gas freed. All cofferdams, steam smothering lines, heating lines and cargo vent lines in their entirety shall be drained, cleaned and gas freed. All loose rust and

all scale, exclusive of bonded scale, shall be removed by means of scrapers, hand tools or other methods, from interior surfaces of all cargo tanks and cofferdams, including all fittings contained within these spaces, and interior surfaces of all covers. All dogs and hinges shall be freed and preservative applied to the thread.

(d) *Rose boxes and strainers.* All rose boxes and strainers shall be scaled, cleaned and dried.

(e) *Internal tank valves and reach rods.* If previously not accomplished, internal tank valves and reach rods shall be freed up, coated with preservative and left in operable condition. Valves shall be opened, then backed off one turn.

(f) *Gas Free Certificate.* After the pertinent spaces and equipment have been cleaned and gas freed, the operator shall obtain a gas free certificate and deliver same to the Master of the vessel. It shall be the responsibility of the Operator to notify the local MARAD Region Office that the Master has a gas free certificate in force prior to the departure of the ship for the reserve fleet. Gas free certificates shall be turned over by the Master to the Fleet Superintendent or his representative on arrival of the ship at the NDRF.

(g) *Dehumidification-Ballast and Cargo Tanks.* In general, it is not intended to place cargo tanks and cargo pump rooms under D/H protection; therefore, deactivation procedures performed in these spaces shall be programmed accordingly. Exceptions to the foregoing, designed to permit the application of D/H to selected ballasted cargo tanks and/or cargo pump rooms, will be determined by local MARAD representatives with the approval of the Region Director.

(h) *Preservation of Ballast and Cargo Tanks.* All tank interior surfaces, including bulkheads, overheads, bottoms, sides, expansion trunks and covers, etc., shall be liberally coated with preservation oil, and/or other accepted preservation methods as directed by MARAD. External surfaces of pipe lines, valves, remote control apparatus and other appurtenances located inside tanks shall also be coated in a similar manner. The mechanical atomization spray method of application shall be utilized. Where special paint coating system has been used in cargo tanks, they shall not be coated with preservation oil. In areas where break down of paint system has occurred, all loose rust and scale shall be removed and surfaces coated with preservation oil.

(i) *Preservation of Cargo and Fuel Oil Tank Vent Lines.* Cargo and fuel oil tank

vent lines shall be preserved by flooding tank vent lines with preservation oil. This shall be accomplished before vessel is towed to the NDRF.

(j) *Machinery Spaces—(1) Rooms.* Storerooms, fanrooms, adjacent passageways, vents and blower screens, etc. shall be swept clean and left free of debris. All supplies and equipment in storerooms shall be neatly stored at least 4" clear of deck and ship side. Spare parts boxes weighing over 50 pounds shall not be tiered.

(2) *Bilges and Tank Tops.* All foreign materials including water shall be removed from the bilges and tank tops.

(3) *Other Spaces.* If not previously accomplished, the surfaces within the machinery space proper shall be thoroughly broom cleaned, including shaft alley and steering gear flat, all beams, overheads, frames, trunks, floor plates, gratings, ladders, stringers, pipes, external surfaces of boiler and turbine casing, vents and blower screens.

(k) *Living Spaces.* All staterooms, heads, washrooms, recreation rooms, adjacent passageways and locker space, including areas beneath furniture, shall be broom cleaned. All portlights shall be dogged down and ventilators and windows closed. Furniture shall be left in place.

(l) *Ship Control Spaces.* The pilot house, chartroom, gyro room, radio room, offices and adjacent passageways shall be broom cleaned in the manner required for living spaces.

(m) *Galley and Pantry Spaces—(1) Galley and pantries.* Galley equipment, including range canopies, exhaust duct, and filters, shall be thoroughly cleaned of grease and foreign material. Any galley gear left in this space shall be cleaned and stowed. Deck and waterways shall be thoroughly cleaned and left in a dry condition.

(2) *Refrigerator Boxes.* The refrigerator boxes and wood gratings shall be thoroughly cleaned. The doors shall be left open and secured to prevent swinging and blocked up to prevent sagging.

(3) *Messrooms.* Messrooms and adjacent passageways shall be cleaned in the same manner as living spaces.

(n) *Bunker "C" and Diesel Fuel Tank Spaces.* All water and sludge shall be stripped from these fuel tanks and removed from the ship.

Sec. 12. Deck Department work.

(a) *Pipes (sounding) and Deck Plugs.* If previously not accomplished, sounding pipes shall be proven clear. Deck fittings and plugs shall be in good condition. The threads of the deck fittings and plugs shall be coated with waterproof grease.

(b) *Hatch Covers, "Tween Deck.*

"Tween deck hatch beams shall be in place. Hatch boards shall be laid over beams, leaving a 3" air space between boards. Wood strips shall be nailed crosswise to the boards to prevent shifting. Steel pontoons and folding-type hatch covers shall be securely wedged in a partially opened position. All "tween deck hatch square areas shall have safety chain or wire and stanchions properly put in place.

(c) *Weather Deck Hatch Covers.* After selected equipment, tools, materials, etc., have been stowed in the holds, the hatch covers shall be set in place. All weather deck hatches shall be sealed airtight in an approved method. Folding type-hatch covers shall be closed and dogged.

(d) *Scuppers and Drains.* Scuppers and drains shall be cleared and cleaned. Deteriorated drain pipes shall be repaired.

(e) *Lifeboats—(1) Stripping and stowage.* Lifeboats shall be stripped, except for tanks, ridge poles, spreaders, rudders, oars, SOLAS covers and masts. The lifeboats shall then be stowed in a designated area on chocks in an upright position and secured. The boat deck in area where boats are removed shall be roped off with two (2) tiers of wire rope.

(2) *Falls, span wires and manropes.* Lifeboat rigging shall be removed with blocks and marine hardware, coiled, tagged (plastic or metal) and stowed in a designated area, or, if directed, the lifeboat falls shall be well coated with preservative and remain in place. Span wires and manropes are to be removed, coiled, and tagged, and placed in the immediate lifeboats which will be stored in a dehumidified space.

(3) *Lifeboat davit arms.* Generally, lifeboat davit arms, together with their associated fittings, shall be removed, tagged (plastic or metal) and stowed in a designated area, or, if MARAD so directs, lifeboat davit arms, after having all necessary repairs accomplished and all moving parts, rollers and cheek blocks properly lubricated, shall be left in place and properly secured.

(4) *Lifeboat winches, motors and controllers.* Lifeboat winches, motors and controllers shall be removed and stowed in a dehumidified area or as otherwise directed. All openings left by the removals shall be made watertight by blanking with 1/4" steel plate. Cabling shall be disconnected (not cut) from the equipment and pulled back into the ship or safe ended. In lieu of the above, if so directed by MARAD, lifeboat winches, motors, and controllers shall have necessary repairs made to insure their operation and watertightness, and are to be left in place.

(5) *Lifeboat motors.* Lifeboat motors shall be completely drained of all water, oil and gasoline.

(f) *Accommodation Ladders and Brow Gangways.* All accommodation ladders and brow gangways including rigging and hardware shall be stowed as directed. All unguarded areas shall be protected by use of wire rope or chain.

(g) *Cargo Gear—(1) Boom masts* (Dry cargo and tanker). All booms shall be lowered into cradles, properly wedged to prevent them from resting on the metal of the cradle, and properly wedged under the goosenecks to prevent them from freezing in the sockets. Goosenecks shall be coated with preservative compound. Unless MARAD shall direct otherwise, rigging and associated gear shall be removed from all hatches, with the exception of that hatch designated as a DH area. All removed cargo gear shall be boxed separately from each boom and placed in the designed DH area. The cargo gear remaining in place shall be slushed and blocks shall be properly greased.

(2) *Telescope masts.* Telescope masts shall be left in position.

(3) *Radio Antennas.* Unless MARAD shall direct otherwise, radio antennas and insulators, triatic stays and flag halyards shall be removed, coiled, tagged, and stowed in designated DH area. The downhaul lines should be replaced in the normal position with a line of synthetic fiber so that the respective downhaul antenna lines can be renewed through the appropriate block.

(h) *Firefighting Equipment.* Master CO₂ controls shall be disconnected and all CO₂ rooms locked and sealed. Portable extinguishers of foam or soda and acid type shall be emptied, washed out and stored as directed. All CO₂ portable extinguishers shall be left in place. All weather deck nozzles, spanners, spray nozzles, fire axes and fire hoses shall be placed in a sealed storeroom. Such equipment located at fire stations in the interior of the ship shall remain in place.

(i) *Turnbuckles.* Turnbuckles on mast shrouds shall be slacked off about a dozen turns, the exposed threads heavily greased and tightened to former position, and the whole assembly shall then be coated with a water-resistant grease.

(j) *Pipe guards.* Weather deck pipe guards shall be dismantled, numbered and stowed in adjacent 'tween decks. If MARAD so directs, pipe guards shall remain in place.

(k) *Roller Chocks and Fairleads.* Roller chocks and fairleads shall be checked and repaired, thoroughly lubricated and left in a freely rotating condition.

(l) *Radar Scanner.* Unless MARAD shall direct otherwise, the radar scanner and motor assembly shall be removed and stowed. Openings created by removal of radar scanner will be sealed and tested to insure water-tightness.

(m) *Hull, Superstructure and Decks.* If not previously accomplished, hull, superstructure and weather decks shall be thoroughly examined. Defective areas shall be sandblasted and a compatible primer and top coating applied. Audio-gauging and repairs to the hull, superstructure and weather decks shall be accomplished to conform to regulatory body requirements.

(n) *Weather Deck Gratings.* All wood and aluminum gratings shall be removed from all weather decks, tagged for identification and stowed in D/H area or as directed by MARAD.

(o) *Coatings.* Coatings shall be intact and of such quality that during the ship's first two years in the NDRF, no exterior preservative coating will be required.

Sec. 13. Engine Department work.

(a) *Drainage—(1) Machinery drainage.* All machinery, including main engine and auxiliaries of all types, shall be thoroughly drained on the steam and water ends. Bonnets and plugs shall be wired adjacent to openings. Drains shall be cleared with a probe. All valve chest plates shall be slacked off. Where necessary, drainage shall be accomplished by breaking of joints. Disturbed joints shall be marked with a highly visible fluorescent type paint.

(2) *Piping systems.* All piping systems throughout the ship shall be thoroughly drained by blowing out with air. Plugs and valve bonnets shall be wired adjacent to openings. All disturbed flanges shall be marked with a highly visible fluorescent type paint. All sanitary traps, toilet bowls, sinks and wash basins shall be dried out, trap plugs removed and attached to fixture where removed. Inaccessible shower traps shall be blown out with air. All toilet and washroom doors shall be locked after inspection of the vessel prior to departure for the fleet site.

(3) *Condensers, coolers and heaters.* All condensers, coolers and heaters shall be thoroughly drained on the steam, fresh and salt water sides. Water boxes shall be thoroughly scaled and cleaned. Tube sheets and interiors of tubes shall be cleaned. Access plates shall be left ajar for ventilation.

(4) *Evaporators and distillers.* The salt and contaminated water evaporators and distillers shall be thoroughly cleaned, rinsed with fresh water, drained, dried and left open for air diffusion.

(5) *Feed water heaters.* All feed water heaters shall be thoroughly drained on the steam and water sides.

(6) *Tanks, potable, distilled water and service.* All water tanks shall be drained, opened up, cleaned and dried out. Manhole plates shall be wedged ajar for air circulation. Handhole plates shall be wired adjacent to openings.

(b) *Boilers Main—(1) Water sides.* The water sides of boilers, including economizer and superheater tubes, shall be thoroughly flushed with fresh water and cleaned of all loose scale, mud and other foreign materials. After cleaning, all parts shall be drained and dried out. One access cover plate shall be removed from each of the following: Steam drums, mud drums, water wall headers, superheaters and economizers. The removed handhole plates, together with dogs and nuts, shall be wired adjacent to their respective openings. If MARAD so directs, boiler casing doors and inspection plates shall be removed, stowed and secured adjacent to their respective boilers. Burners shall be removed, cleaned and stowed adjacent to boilers.

(2) *Firesides.* The firesides of the boilers, including wind boxes, stack uptakes, economizers (access opening to be provided if not already present), superheaters, air heaters, space between inner and outer stack, etc., shall be thoroughly cleaned. Under no circumstances shall water or steam be used in cleaning the firesides. If practical, boilers can be air lanced or vacuumed.

(3) *Special drainage requirements.* Immediately after boilers are shut down, all machinery on steam and water sides, all water, air, steam and exhaust lines throughout ship, radiators, heaters, D/B heating, coils, toilets, traps, feed heaters, condensers, ejectors, evaporators, inspection tanks, service tanks, domestic tanks, coolers, loop seals and deaerators shall be drained. All valve bonnets, plugs, or their parts removed for drainage shall be wired to adjacent part or opening. All disconnected piping for drainage shall be reconnected with new gaskets as original. Any piping required to be left open shall be marked with a highly visible fluorescent type paint.

(4) *Refractory.* If directed, refractory and insulating material shall be removed from the boilers as necessary to permit thorough inspection of all tubes, nipples, risers and headers and to insure their total exposure to the flow of dry air under D/H. All the debris created by this operation shall be removed from the ship.

(c) *Boilers, Auxiliary.* Steam heat and waste heat boilers shall be cleaned on

the water side and dried out. The fire and/or exhaust gas sides including uptake and stack, shall be thoroughly cleaned of all soot and other residue. One manhole plate and one handhole plate shall be removed (if existing), and wired adjacent to their respective openings. Steam or water shall not be used for cleaning firesides of boilers.

(d) *Diesel engines, main and generator engines.* Water jackets, heat exchangers and associated water pumps and piping shall be thoroughly drained. All openings for drainage shall be left open. The exhaust manifolds and exhaust stack, including intake and exhaust silencers shall be opened, cleaned and left open. All lube oil shall be removed from the crank cases and sumps by pumping such oil into a settling tank. The sumps, crank cases, filters and strainers shall be thoroughly cleaned and closed up as before. Each sump tank shall be filled with sufficient clean lube oil which shall be circulated through the systems under pressure. While the oil is being circulated, the engines shall be turned over five (5) complete revolutions. Line shaft bearing sumps shall be cleaned and the bearings flushed with clean lube oil. All diesel engines, after they are proven in running condition with the sumps cleaned and new oil added, shall be left in operating condition with the exception of the draining of engine coolant. Main engines and generator engines, after the lube oil sump is clean and the oil has been replaced in the sump, shall be left in operating condition. After sumps have been cleaned for line shaft bearings they shall also be placed in operating condition, with new lube oil in the sumps. Selected access plates shall then be left ajar for ventilation. The daily service fuel tanks shall be pumped out, thoroughly cleaned and closed up as before. Fuel oil injectors shall be removed, thoroughly drained and shall be properly stowed in the engineer's storeroom. Fuel lines shall also be drained. Injection openings shall be screened. In the case of the emergency generator (diesel engine only), upon completion of the above work, the fuel oil injectors shall be reinstalled as original, fuel oil tanks to these units shall be refilled with removed diesel fuel oil and the engine shall be closed up as original and left ready for operations. If emergency diesel engine is water cooled, cooling system shall be drained and filled with anti-freeze.

(e) *Lubricating oil systems.* If so directed by MARAD, all lubricating oil shall be transferred from the sump tanks of all machinery to a reserve tank. Sump tanks shall then be opened, thoroughly

cleaned and re-closed as before. Sufficient clean lubricating oil shall be dropped to each sump tank and circulated through each respective system. While the oil is being circulated, each turbine unit, both main and auxiliary, shall be jacked over sufficiently to obtain at least one full revolution of the main shaft. Auxiliary machinery lube oil sumps (including sumps of line shaft bearings) shall also be drained, cleaned and the bearings shall be flushed with clean lube oil.

(f) *Centrifuges.* The lube oil, oily water and fuel oil centrifuges shall be opened and thoroughly cleaned. Sediment drain tanks shall be thoroughly cleaned and left open.

(g) *Deaerating feed water heater.* The deaerating feed water heater shall be opened and cleaned and the access plate shall be replaced, slightly ajar.

(h) *Refrigeration and Air Conditioning Systems.* The Freon systems (except domestic type) shall be tested for tightness and charged to capacity. Sufficient oil shall be added to the compressors to bring the oil level above the top of the shaft seal. The compressors are to be tagged with metal or plastic tags to show all of the precautions taken.

(i) *Valves.* Settling tank valves and all other valves affecting seaworthiness shall be left closed. Valves and their reach rods shall be left in good working order.

(j) *Carbon rotor packing.* If MARAD so directs, the packing on main and auxiliary turbine rotors shall be removed, wrapped, tagged and placed in engine storeroom.

(k) *Soft packing.* The packing shall be removed from piston rods and valve stems of all reciprocating pumps (except liquid end of lube, hydraulic and fuel oil pumps) and from the shaft packing glands of all rotary and centrifugal pumps (except lube, hydraulic and fuel oil pumps).

(l) *Ship's Whistles.* If MARAD so directs, the whistles shall be removed and stowed in the D/H area. The opening left in the stacks because of whistle removal shall be blanked off by welding a plate over it.

(m) *Sewage disposal tanks.* All sewage tanks shall be pumped out, opened up, washed down, thoroughly cleaned and dried. Covers shall be reinstalled in an ajar position and all remaining securements shall be packaged and wired to tanks.

(n) *Elevators and dumbwaiters.* Unless MARAD shall direct otherwise, elevators and dumbwaiters shall be secured. Pits shall be cleaned. Counterweights shall be landed on blocks, cables removed and car lowered

to bottom of well. Blocks shall be arranged to allow access beneath elevator.

(o) *Chlorinator and retention tanks.* Chlorination and retention tanks shall be cleaned and left open.

(p) *Tagging of removed equipment.* All equipment stored in D/H areas shall be properly tagged. Tags shall be of a permanent type attached by wire.

(q) *Motors and generators.* All motors of at least one (1) Horsepower and generators shall be cleaned of all dirt, excessive oil, and grease. Brushes shall be left in place with their spring tension released, clear of rotating element. Unless MARAD shall direct otherwise, all motor couplings shall be disconnected from their respective pumps. Coupling parts shall be tagged and stowed in the vicinity of each pump.

(r) *Cargo winches.* Repairs shall be made as required on all cargo winches, motors and controllers to insure they are in proper working order and their watertight integrity is maintained. Except when MARAD so directs, cargo winches shall be removed and stored in the lower D/H holds. Openings created by such removals shall be sealed and made watertight. Cabling within the pedestal foundation shall be pulled back into the ship.

(s) *Vent fans and motors.* Unless MARAD shall direct otherwise, all weather deck vent fans and motors shall be removed, tagged and stowed below under D/H. All openings shall be sealed.

(t) *Electrical receptacles and lighting fixtures.* All electrical receptacles exposed to weather and lighting fixtures shall be closed. Missing caps, covers, wire guards, and vapor globes shall be replaced.

(u) *Nickel-Cadmium batteries.* All battery feeder leads shall be disconnected and tagged. The tops of the batteries and the battery trays shall be cleaned and dried. All cells shall be filled with "Colloil" or other product recommended by the battery manufacturer. All vent caps shall be closed.

(v) *Megger readings.* Insulation resistance readings shall be taken of all generators and motors on vessel, except those of less than one horsepower. The results of these readings shall be included in the deficiency survey.

(w) *Main radio installation.* All switches shall be opened. All spare tubes, spare parts, tools and loose equipment shall be placed in spare parts boxes and stowed in a sealed storeroom.

(x) *Speakers and amplifiers—open deck.* All speakers and amplifiers shall be provided with canvas covers, secured, and shall remain in place.

(y) *Flooding alarm system.* A flooding alarm system shall be installed aboard ship in spaces designated by MARAD. The system installed shall conform to or be compatible with the existing system installed aboard ships in the MARAD reserve fleets.

Sec. 14. Dehumidification.

On ships selected for dehumidification, the following work shall be performed:

(a) *Dehumidification system—(1) Components.* The dehumidification system shall consist of D/H machinery, duct work, piping (and other means of air transmission), zoning and auxiliary devices, with associated wiring; such as, hygrosensor units, switches, junction boxes, elapsed time indicators, circuit breakers, etc., as required to maintain the interior spaces of the ship at an acceptable level of preservation through the use of dehumidified air. When zoning is required, the maximum area to be dehumidified shall be 400,000 cubic feet for each 500 CFM machine. The D/H machine shall be an approved type that has a moisture removing capacity (MRC) of seven pounds per hour when the air to be dried (inside air) has a Relative Humidity of 35 percent at 70° dry bulb with a pressure differential of 5" water gauge. Machines are to be new and include a supply of spare parts for two years' operation, and assured availability of spare parts from the manufacturer for an additional three years.

(2) *Plans.* Plans shall be furnished to MARAD which clearly indicate the arrangement of the D/H system, including location of the machine(s), directional flow distribution and modulation of dry air, location of hygrosensor stations, visual alarm panels, circuit breakers, main disconnect switch, power supply and control circuits.

(3) *Alarm system.* A D/H control-alarm system shall be installed that will continuously and automatically control the relative humidity at a present level, within a dehumidified zone, and at a central location to indicate whether the humidity factor, high or low, is being maintained at a prescribed level. This system must sense and control the R/H from four individual stations within each zone.

(4) *Power supply.* Power supply at the fleet sites is 3-phase, 440 volt AC. Shore power connection shall be provided topside to permit one 3 pole disconnect switch (unfused) located topside and an individual 3 pole circuit breaker for each machine. Cables shall be neatly triced overhead in such a manner as to prevent a safety hazard.

(5) *Air ducts.* Reactivation air inlet and outlet ducts shall be of a size recommended by the D/H machine manufacturer and shall be spaced a minimum of four feet apart or fitted with elbows to provide this distance between the two openings. Inlet and outlet terminations shall be fitted with screened 90° elbows turned down. All reactivation cycle ducting shall be of 18 gauge rigid galvanized steel or 18 gauge rigid aluminum, and inclined downward for proper drainage. The dry air duct outlet from the dehumidifier shall be of a size recommended by the equipment manufacturer. The contractor may use either flexible or rigid 18 gauge metal ducting to deliver the air to the termination points in the remote areas of the D/H zone. Each dry air outlet termination shall be provided with an adjustable damper for air modulation. Since the D/H machine will be installed within the zone, duct work for the return of humid air will not be required. However, the humid air inlet opening on the machine shall be screened. The total cross sectional area of ducting shall at no point throughout its length be less than that of the opening on the machine.

(6) *Duct installation.* In the installation of duct work, the female end of each section shall face the direction from which the air flows. Duct joints shall be secured together with metal screws and then taped to make an airtight joint.

(7) *Approval.* The system shall be operated and tested to the satisfaction of the MARAD representative to ensure proper installation and distribution of dry air from the dehumidifier to spaces and machinery and back to the dehumidifier.

(8) *Machine location.* D/H machine(s) shall be installed within the D/H zone at a convenient location where it will be readily accessible from all sides for easy servicing. D/H machines shall be set level, both fore and aft and athwartship.

(b) *Blanking and sealing for D/H—(1) Access to the interior of the ship.* Access to the ship's interior shall be limited to one exterior door. All other exterior openings shall be permanently closed, sealed and made airtight. The use of polyurethane foam for "soft" seal is not acceptable. The access doors shall be fitted with a hasp and bale or other suitable means of preventing unauthorized entry.

(2) *Main stack.* All stack openings to the atmosphere, including atmosphere escape pipes and other exhaust pipes through which air would enter the machinery spaces or boilers, shall be closed airtight with a welded steel plate cover or other covers of suitable design to maintain airtight closure. All access

hatches or manholes in stack decks shall be dogged or bolted down airtight.

(3) *Inner stack openings.* Two openings, each approximately 6" in diameter, shall be cut about two feet (2') from top of inner stack on opposite sides of the circumference for air diffusion. Cut outs shall be tack welded at openings for future replacement.

(4) *Diesel Engine exhaust stacks.* If MARAD so directs, diesel exhaust stacks shall be removed at a convenient point. The removed sections of stack shall be stowed and secured adjacent to the diesel engine from which removed. Steel plates or other coverings approved by MARAD shall be fabricated and installed over openings. The emergency diesel engine exhaust opening shall be fitted with a readily opened portable plate so that it may be operated when the vessel is in the Reserve Fleet. Installation shall be tested and proved airtight. New work and disturbed areas shall be primed.

(5) *Galley stack.* The galley stack, if so fitted, shall be cropped off approximately 48" above deck and stowed in the 'tween deck. The remainder shall be closed off airtight with a steel cover of suitable thickness.

(6) *Ventilators.* Cowl and mushroom type ventilators leading to machinery spaces and/or housing shall be removed and stowed in adjacent 'tween decks. The stumps shall be closed off airtight with welded steel plate covers of suitable thickness or if stump is provided with a spider, the cover shall be secured by means of a rubber gasket and center bolt through the spider.

(7) *Skylights.* If MARAD so directs all skylights serving machinery spaces and adjacent housing shall be closed off airtight by means of a welded steel plate over each opening.

(8) *Ventilation openings.* All intake and exhaust openings in housing and king posts leading to machinery spaces and housing, that are not provided with a gasketed hinged metal cover, shall be made airtight with suitable sheet metal covers.

(9) *Weather deck closures.* Portlights, windows, scuttles, weathertight metal doors, etc., shall provide for airtight closure. All gaskets are to be in good condition and shall be renewed where found necessary.

(10) *Exterior wood doors.* A galvanized sheet metal blank shall be installed over entire weather side of doors and associated frames, using wood screws and approved calking and sealing compounds to insure airtightness.

(11) *Deck scuppers.* If not previously accomplished, deck scuppers shall be flushed out and proven free and clear.

Scuppers that pass through the interior of the ship shall be blanked at deck level with welded steel plates. All removed strainer plates and securements shall be tagged and put in convenient lockers. Half moon drain holes, approximate size 4" x 2", shall be cut on each side of blanked scuppers on coaming around the houses or the gunwale bar at shell and provided with lips or projections so that the drainage is carried well over the side to prevent stains on the hull. Removed sections shall be tack welded adjacent to the cut outs.

(12) *Overboard discharge openings above flotation lines.* Unless MARAD shall direct otherwise, scupper extensions (guards) shall be removed as required to permit installation of bolted 1/2" mild steel blanks.

(13) *Sealed Storerooms.* Each storeroom designated by the MARAD Region Director for the storage of highly pilferable and valuable items shall have its door welded shut with a one inch bead weld every foot around the door perimeter after storage has been completed. Ventilation shall be provided by an opening of one square foot suitably grilled to prevent entry. A humidity sensing device shall be installed in each permanently sealed storeroom in a manner and location to be determined by the Region Director.

(c) *Air test requirements.*—(1) *Overall D/H Envelope.* Using a 500 CFM fan, or other type of air mover of similar capacity sealed into the D/H boundary, air shall be steadily exhausted to the outside atmosphere. The resulting pressure differential created between the outside atmosphere and spaces within the envelope shall be measured with a manometer or other suitable air pressure gauge. Upon obtaining a pressure difference equal to 3" of water, the air mover shall be secured and the opening blanked off at the weather side. The pressure differential shall not drop lower than a reading of 2" of water during a waiting period of 20 minutes.

(2) *Inner zones within a multi-zone ship.* Inner zones within a multi-zone ship shall be subjected to a pressure difference equal to 1 1/4" of water, the air mover secured and opening blanked at weather side. Pressure differential shall not drop lower than a reading of 1/4" of water during a waiting period of 20 minutes.

(d) *Ventilation of Machinery.*—(1) *Main and auxiliary turbines and reduction gear.* Relief valves shall be removed from main and auxiliary turbines, openings to be screened with close mesh copper wire screening and valves hung on flange with two (2) bolts or, in the case of screw type relief

valves, secured to their respective bodies. One nozzle block valve bonnet shall be blocked open and screened with close mesh copper wire screening. Inspection covers on main and auxiliary turbines, where fitted, shall be blocked open not less than one inch and the openings shall be screened with close mesh copper wire screening. A minimum of eight inspection covers on each main propulsion gear casing shall be blocked open not less than one inch and screened with close mesh copper wire screening. On units with smaller gear trains, such as generators, two inspection covers, one as high as possible and the other as low down as possible, shall be blocked open not less than one inch and screened with close mesh copper wire screening.

(2) *Main and auxiliary condensers,* lube oil coolers and other heat exchangers. Inspection opening covers shall be removed from the salt water box at each end of each condenser and one cover from the hot well of each condenser. Each cover shall be positioned on one of the stud bolts from which it was removed so that it will not obstruct diffusion of dry air through the condenser. The cover shall be positioned on the stud with one of the nuts which originally held the cover in place. The remaining nuts shall be threaded on the stud's full thread. The same general procedure shall be followed for the ventilation of other heat exchangers (air ejectors, distillers, water heaters, air receivers, etc.). Where a unit is not provided with inspection openings, plugs and/or inlet and outlet valve bonnets shall be removed. Any valves, fittings or equipment which, if tampered with might result in flooding of the ship or spilling of fuel oil, shall not be included. The intent of the foregoing is to provide the minimum number of openings which will be needed to ensure diffusion of dry air throughout each unit.

Sec. 15. Towing to fleet.

The Operator shall do the following:

(a) *Permit.* Obtain a U.S. Coast Guard permit, if such is needed, to tow the ship from the port of delivery and/or deactivation to the fleet site designated for layup.

(b) *Riding crew and towage.* Arrange for tug(s) and when directed by the MARAD Region Director provide a riding crew to assist in the movement and securing of the ship at reserve fleet layup site.

(c) *Food.* Remove subsistence stores provided for the riding crew before the crew departs the ship at the reserve fleet site.

(d) *Steering gear.* Secure the rudder in a midship position while ship is under tow.

(e) *Anchor windlass, steam.* Remove the section of steam line adjacent to the steam valve on the anchor windlass and secure with wire adjacent to the windlass. Install a flange on a steam valve with 1 1/2" pipe connection for air hook-up; remove the exhaust valve on the anchor windlass and secure with wire to the exhaust line; blank off the steam and exhaust lines leading aft; open all drains and remove any condensate from throttles, cylinders and steam chests; coat exposed moving parts with preservative; test the steam and/or electric anchor windlass and leave ready for service.

(f) *Navigation equipment.* Make available the necessary lights, signals and equipment for towing as directed by the MARAD Region Director. Upon delivery of the vessel at the reserve fleet site, this equipment shall be removed.

(g) *Mooring Wires.* The operator shall provide 8 mooring wires for use at the NDRF as directed by the Fleet Superintendent. Each mooring wire shall be 300 feet long, with a minimum diameter of 1 1/8", and a 6 foot swaged eye on one end. Remove the insurance wires from reels and fake out on deck, one forward and one aft; neatly coil and tag all other wires and stow in D/H areas.

(h) *Fenders.* If so directed by the MARAD Region Director, place suitable and sufficient fenders on board. Fenders are to be of wood construction in accordance with NDRF specifications.

(i) *Shaft lock.* Secure the propulsion shaft(s) by use of a keeper plate on tailshaft coupling. In no instance shall jacking gear be left engaged to act as a brake.

(j) *Heaters.* Disallow, at all times, use of unvented heaters or stoves by riding crews.

(k) *Policing.* Immediately prior to the ship's arrival at the reserve fleet site, police the areas of the ship used by the riding crew and leave in a clean and orderly condition.

(l) *Inspection.* Upon arrival of the ship at the reserve fleet site, fleet personnel designated by the Fleet Superintendent shall inspect the ship along with the riding Master to determine that satisfactory conditions exist relative to sanitation, security and safety.

(m) *Delivery.* Upon arrival of the ship at the reserve fleet site and after the acceptance inspection has been completed have the riding Master obtain a copy of the ship condition receipt certifying to the satisfactory compliance with all of the provisions of this section and deliver to the Fleet Superintendent

the keys and the ships documents. A sample copy of the receipt is set forth as Exhibit A.

Sec. 16. Reports.

(a) *Condition Survey.* On completion of all work, a condition survey report shall be prepared reflecting the condition of all parts of the ship, its equipment and appurtenances. Such survey shall be made by the Maritime Administration. Deferred items which will require corrective action upon reactivation shall be listed along with the estimated man-hours and material for each item. The survey shall also include all outstanding American Bureau of Shipping and/or U.S. Coast Guard reports and recommendations. One copy of the survey shall be sent to the Chief, Division of Ship Management, Maritime Administration, Washington, D.C. 20230; one copy to the operator; one copy to the NDRF Superintendent; and one copy to the Maritime Administration Region Office.

(b) *Completion Report.* A completion report shall be prepared and signed by a responsible member of the Operator's staff. A sample format is set forth as Exhibit B.

(c) *Cost Report.* A cost report detailing costs incurred in ship layup preparation and delivery to reserve fleet shall be prepared, two copies shall be forwarded to the Chief, Division of Ship Management, Maritime Administration, Washington, D.C. 20230, and two copies forwarded to the cognizant Region Director. Reports are to be prepared within 30 days after delivery of the ship to the NDRF. A sample format is set forth as Exhibit C.

(d) *Certificate of Redelivery.* An authorized "Certificate of Redelivery" furnished by the Maritime Administration shall be processed by the Region Director and forwarded to the Operator for execution and return. Five copies of the executed certificate shall be forwarded by the Region Director to the Chief, Division of Reserve Fleet, Washington, D.C. 20230. The disposition of the ship's Certificate of Registry or Enrollment shall be noted on the Certificate of Redelivery showing date and place of deposit.

Sec. 17. Miscellaneous requirements.

(a) *Certificate of Inspection.* This certificate shall be returned to the U.S. Coast Guard. A copy of the covering letter shall be forwarded by the Region Director to the Chief, Division of Ship Management, Maritime Administration.

(b) *Certificate of Registry or Enrollment.* These certificates shall be deposited in the Office of the Documentation Officer, U.S. Coast

Guard, Washington, D.C. 20590. The place and date of deposit shall be noted on the certificate of delivery.

(c) *Other papers and keys.* All other ship's papers, documents, and safe combinations shall be delivered by the riding Master to the NDRF representative, together with a list of these papers and documents in triplicate. Ship's papers, and tagged keys shall be locked in the ship's safe. The NDRF superintendent will give the riding Master a signed receipt for all papers and keys. A copy of the list shall be forwarded by the Region Director to the Chief, Division of Reserve Fleet, Maritime Administration, Washington, D.C. 20230.

(d) *Library.* Merchant Marine library books shall be removed by the Merchant Marine Library Association.

Exhibit A—U.S. Department of Commerce

Maritime Administration; Ship Condition Receipt

Date _____

To: _____, operator/owner of the S.S. _____, This will certify that the subject vessel arrived at _____ a.m./p.m. on _____ at the _____ fleet and was found to conform with the acceptance requirements, except as noted below.

1. Stability and watertight integrity
2. Cleanliness and sanitation
3. Storerooms
4. Inventory of ship's documents
5. Keys
6. Remarks:

Fleet Superintendent

Note:

- Original copy _____ forwarded to cognizant regional director.
- Copy _____ to riding master.

Exhibit B—U.S. Department of Commerce

Maritime Administration; Shipowner/Operators Completion Report

Date _____

SS or MV _____, shipowner _____, prepared for layup at _____, Delivered to reserve fleet at _____, Date of delivery _____

The above vessel was prepared for layup in full accordance with USMA instructions.

Signed _____

Title _____

Representing _____

Note.—Original copy _____ to fleet superintendent. Copy _____ to cognizant region director.

Exhibit C—U.S. Department of Commerce

Maritime Administration; Cost of Preparing for Layup and Delivery to Fleet

Name of ship _____; operator _____ and place commenced layup _____; finished _____; date departed for R.F. _____; name of contractor _____

Was work negotiated or bid? _____

Expense Incurred From Start of Layup to Delivery at Fleet

Operator account _____, \$ _____
 Crew wages, \$ _____, _____
 Subsistence _____, \$ _____
 Lodgings _____, \$ _____
 Fuel consumed _____, \$ _____
 Insurance _____, \$ _____
 Wharfage _____, \$ _____
 Pilots (shifting) _____, \$ _____
 Tugs (shifting) _____, \$ _____
 Linemen (shifting) _____, \$ _____
 Watchmen _____, \$ _____
 Stripping (operators material) _____, \$ _____
 Duty on Removals _____, \$ _____
 Totals _____, \$ _____

Deactivation and Towage

Preparing for layup _____, \$ _____
 Towing crew _____, \$ _____
 Towage to fleet _____, \$ _____
 Assisting tugs (harbor) _____, \$ _____
 Pilotage _____, \$ _____
 Linesmen _____, \$ _____
 Return transportation _____, \$ _____
 Other expenses _____, \$ _____
 Total _____, \$ _____
 Grand total _____, \$ _____

Note.—Two copies to Chief, Division of Ship Management, Washington, D.C.; two copies to Cognizant Region Director.

Dated: September 17, 1979.

Robert J. Patton, Jr.,

Acting Secretary, Maritime Administration.

[FR Doc. 79-29258 Filed 9-20-79; 8:45 am]

BILLING CODE 3510-15-M

VETERANS ADMINISTRATION

38 CFR Part 21

Vocational Rehabilitation and Education; Administration of Educational Benefits; Approval of Courses

AGENCY: Veterans Administration.
ACTION: Final regulation.

SUMMARY: The Veterans Administration always has considered the class schedules of resident courses, other than flight courses, not leading to a standard college degree to be an integral part of the approval of such courses. Agreements which the Veterans Administration has negotiated with State approving agencies to pay them for their services have provided that approvals for these courses would include approvals for their class schedules. However, the Code of Federal Regulations has made no mention of this policy. The amended regulation corrects this by specifically setting forth this policy.

This amendment will serve to place in the Code of Federal Regulations an approval requirement which previously was stated only in negotiated agreements between the Veterans

Administration and the State approving agencies.

EFFECTIVE DATE: September 17, 1979.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer, Assistant Director for Policy and Program Administration, Education and Rehabilitation Service, Department of Veterans Benefits, Veterans Administration, Washington, DC 20420 (202-389-2092).

SUPPLEMENTARY INFORMATION: On page 26763 of the Federal Register of May 7, 1979 there was published a notice of proposed regulatory development to amend Part 21 relative to approval of courses for Veterans Administration training. Interested persons were given 30 days to submit comments, suggestions, or objections regarding the proposed regulation. Four persons submitted letters containing numerous comments.

One person objected because he thought the proposed regulation ought to include a definition of "resident course." A discussion of what constitutes a resident course is included in a proposed change to § 21.4280, Title 38, Code of Federal Regulations which was published in the Federal Register on June 18, 1979. This should be sufficient for someone to determine what the Veterans Administration means by "resident course."

The same person objected because the regulation does not state the criteria State approving agencies will use in approving class schedules. The difficulty this person had with this proposal may be alleviated if the proposed paragraph is considered in context. It is the introductory paragraph not only to § 21.4250 but also to §§ 21.4251 through 21.4266, which also deal with course approvals. These sections will give guidance to State approving agencies in approving course schedules.

This person also objected that the regulation does not state which courses it is appropriate for the Veterans Administration to approve. This material is stated in paragraph (c) of § 21.4250. It would be pointless to restate it in paragraph (a).

Another objection raised by this person was that the Veterans Administration is attempting to extend approval of schedules to courses leading to a standard college degree. This is not the case. The regulation specifically states "not leading to a standard college degree."

Another person objected that the proposal would cause unnecessary paperwork for the Veterans Administration and the State approving agencies, and that requiring State approving agencies to approve each

class schedule would not be cost effective. It is the nature of some courses not leading to a standard college degree that a course may be effective when taught on a full-time basis, but may be ineffective when taught part-time over a longer period. For this reason the Veterans Administration believes that it is important for State approving agencies to approve class schedules even if this involves some additional cost.

One commenter suggested defining class schedule and class schedule approval in such a way that the State approving agency would be relieved from approving class schedules as the school adopted them. It would approve them following a visit to the school. The Veterans Administration has not adopted this suggestion. In most cases State approving agencies should be able to approve new schedules through the mail without a special visit.

Relief for State approving agencies was sought by one commenter in cases where the student's class schedule is made a part of his or her enrollment agreement. The Veterans Administration has not adopted this suggestion. As explained above, the Veterans Administration thinks it is important that each class schedule be approved.

The proposed change to § 21.4250 is deemed proper and is hereby approved.

Approved: September 17, 1979.

By direction of the Administrator.

Rufus H. Wilson,

Deputy Administrator.

In § 21.4250, the introductory portion of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 21.4250 Approval of courses.

(a) *General.* A course of education, including the class schedules of a resident course (other than a flight course) not leading to a standard college degree, offered by a school must be approved by the State approving agency for the State in which the school is located, or by the State approving agency which has appropriate approval authority, or, where appropriate, by the Veterans Administration.

(38 U.S.C. 1772)

* * * * *

[FR Doc. 79-29351 Filed 9-20-79; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1311-2]

Approval and Promulgation of Implementation Plans, South Carolina Plan Revision: Emission Offset

AGENCY: U.S. Environmental Protection Agency, Region IV.

ACTION: Final rule.

SUMMARY: On May 8, 1979, the South Carolina Board of Health and Environmental Control adopted, after public notice and hearing, revised permit conditions for M. Lowenstein and Sons, Inc., Lyman Printing and Finishing Division. EPA is today approving these permits, which embody an emission offset. The approval of this implementation plan revision will have no adverse effect on the attainment and maintenance of the National Ambient Air Quality Standards.

The provisions of the revisions were described in a notice of proposed rulemaking, in the Federal Register of July 2, 1979 (44 FR 38580). No comments were received.

EFFECTIVE DATE: October 22, 1979.

FOR FURTHER INFORMATION CONTACT: Melvin Russell, Air Programs Branch, EPA Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30308, 404/881-2864; FTS 257-2864.

SUPPLEMENTARY INFORMATION: On May 8, 1979, the South Carolina Board of Health and Environmental Control adopted revisions in its State Implementation Plan (SIP) as it relates to permit requirements for M. Lowenstein and Sons, Inc., Lyman Printing and Finishing Division, Spartanburg, South Carolina.

The purpose of this revision to the South Carolina SIP, pursuant to Section 129(a)(1) of the 1977 Clean Air Act Amendments (Pub.L. 95-95) and the EPA January 17, 1979 Interpretative Ruling (IR) (44 FR 3274), is to offset nonmethane hydrocarbon emissions resulting from the operation of equipment at R. R. Donnelley and Sons Company, Spartanburg, South Carolina.

The revisions will have the following effect on operations at M. Lowenstein and Sons, Inc., Lyman Printing and Finishing Division. The revisions cancel operating permit number O/P-42-167 and reissues operating permit numbers O/P-42-170 through O/P-42-179. The implementation of this revision in the South Carolina SIP will have no adverse effect on the attainment and

maintenance of the national ambient air quality standards.

Accordingly this revision is approved.
(Section 110(a) of the Clean Air Act (42 U.S.C. 7410(a)) and Section 129(a)(7) of the Clean Air Act Amendments of 1977)

Dated: August 30, 1979.

Douglas M. Costle,
Administrator.

Incorporation by reference provisions approved by the Director of the Federal Register May 18, 1972. A copy of the incorporated material is on file in the Federal Register Library.

Part 52 of Chapter I, Title 40, of the Code of Federal Regulations is amended as follows:

Section 52.2120(c) is amended by adding subparagraph (10) to read as follows:

§ 52.2120 Identification of Plan.

* * * * *

(c) The plan revisions listed below were submitted in the dates specified.

* * * * *

(10) Permit changes, specified below, were submitted by the South Carolina Department of Health and Environmental Control on May 9, 1979. These changes provide emissions offset for R. R. Donnelley and Sons Company, and apply to M. Lowenstein and Sons, Inc., as follows:

(i) Operating permit number O/P-42-167 for the operation of five (5) Kingsley Roller Print Dryers (Nos. 3, 4, 5, 6, and 7) is cancelled with these dryers not to be operated after June 1, 1979.

(ii) Operating permit number O/P-42-170 through O/P-42-179 for screen print machine Nos. 3, 4, 5, 6, 7, 8, 10, 11, and 12 are reissued to reflect the total and permanent transition from solvent-based print pastes to water-based print pastes on these machines as of June 1, 1979.

Rationale for Approval/Disapproval, South Carolina Plan Revision

On May 8, 1979 the South Carolina Board of Health and Environmental Control adopted revisions to its State Implementation Plan (SIP) as it relates to permit requirements for M. Lowenstein and Sons, Inc., Lyman Printing and Finishing Division, Spartanburg, S.C. The revisions meet requirements of Section 129(a)(1) of the 1977 Clean Air Act Amendments (Pub.L. 95-95) and the EPA January 17, 1979 Interpretive Ruling (IR) (44 FR 3274). The implementation of this revision in the South Carolina SIP will have no adverse effect on the attainment and maintenance of the national ambient air

quality standards. Therefore, approval of the revisions is recommended.

[FR Doc. 79-29280 Filed 9-20-79; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 52

[FRL 1326-71]

Approval and Promulgation of State Implementation Plans; Approval of the Plan Revisions for South Dakota

AGENCY: Environmental Protection Agency.

ACTION: Addition of Effective Date for Final Rulemaking.

SUMMARY: The purpose of this action is to add an effective date to the Final Rulemaking on the South Dakota SIP. The Final Rulemaking was published in the Federal Register on August 9, 1979 (44 FR 46845).

EFFECTIVE DATE: The effective date of this rulemaking is August 9, 1979.

ADDRESSES: Copies of the SIP revision and an EPA evaluation of the revision will be available at the offices of the EPA listed below.

Environmental Protection Agency, Region VIII, Air Programs Branch, 1860 Lincoln Street, Denver, Colorado 80295.
Environmental Protection Agency, Public Information Reference Unit, 401 M Street SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Mr. David S. Kircher, Chief, Planning & Operations Section, Air Programs Branch, Environmental Protection Agency, Region VIII, 1860 Lincoln Street, Denver, Colorado 80295, (303) 837-3711.

Dated: September 11, 1979.

Roger E. Frenette,
Acting Regional Administrator.

[FR Doc. 79-29400 Filed 9-20-79; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 257

[FRL 1327-11]

Criteria for Classification of Solid Waste Disposal Facilities and Practices

AGENCY: U.S. Environmental Protection Agency.

ACTION: Correction to final rule and interim rule.

SUMMARY: The following corrections should be made in EPA's final and interim final regulations implementing Sections 1008(a)(3) and 4004(a) of the Resource Conservation and Recovery Act and Section 405(d) of the Clean

Water Act, published at 44 FR 53438-53464 on September 13, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. Truett DeGeare, Jr., P.E., Office of Solid Waste (WH-564), U.S. E.P.A., Washington, D.C. 20460; telephone 202-755-9120.

Corrections

In FR Doc. 79-28532 make the following changes:

Page	Column and line	Correction
53438 Col. 1-10.....	Change the Action line to read "Final rule and interim rule."	
53438 Col. 1-38.....	Insert between "EFFECTIVE DATE" and "FOR FURTHER INFORMATION": "DATE: For purposes of the interim final portions of the criteria (Sections 257.3-5 and 257.3-6(b)), public comments will be accepted until November 20, 1979. ADDRESS: Submit comments to: Emery Lazar, Docket 4004.1, Office of Solid Waste (WH-564), EPA, Washington, D.C. 20460."	
53438 Col. 2-1.....	No indentation (not a new paragraph).	
53439 Col. 1-34.....	Change "Copromulgation" to "Copromulgation".	
53439 Col. 3-8.....	Insert " " after "necessary".	
53441 Col. 3-34.....	Delete "not" before "concerned".	
53441 Col. 3-44.....	Change "inadequate" to "adequate".	
53444 Col. 1-64.....	Delete " " after "concepts".	
53444 Col. 3-34.....	Insert " " after "writing".	
53445 Col. 3-38.....	Change "because" to "because".	
53446 Col. 3-60.....	Change "not" to "now".	
53448 Col. 1-21.....	Change "ability" to "ability".	
53448 Col. 3-33.....	Change "lead" to "led".	
53449 Col. 3-35.....	Change "Controls" to "Control".	
53450 Col. 3-14.....	Change "50-day" to "50-year".	
53452 Col. 2-2.....	Change "than" to "then".	
53452 Col. 2-60.....	Change "absorb" to "adsorb".	
53452 Col. 2-65.....	Change "relationship" to "relationship".	
53452 Col. 3-34.....	Change "is" to "as".	
53452 Col. 3-68.....	Change "on" to "of".	
53453 Col. 3-7.....	Insert " " after "above".	
53454 Col. 1-43.....	Insert between "products" and "commodities": "is not possible at this time because of insufficient data. A nationwide survey is being conducted currently by the EPA, FDA, and USDA on cadmium levels in raw agricultural".	
53454 Col. 2-39.....	Change "establishment" to "establishment".	
53454 Col. 3-11.....	Change "pesticide" to "pesticides".	
53456 Col. 2-10.....	Change "producing" to "producing".	
53458 Col. 3-50.....	Change "Commenter" to "Commenters".	
53461 Col. 3-6.....	Change "a flood or a" to "a flood of a".	
53461 Col. 3-65.....	Delete "developed and" after "been".	
53462 Col. 3-11.....	Change "placement" to "placement".	
53462 Col. 3-7.....	Change "Methods" to "Methods".	
53463 Col. 2-49.....	Change "vector's" to "vectors".	
53463 Col. 2-60.....	Change "or residential" to "of residential".	

¹ Lines counted from the bottom of the page.

Dated: September 18, 1979.

Gary Dietrich,
Associate Deputy Assistant Administrator for Solid Waste (WH-562).

[FR Doc. 79-29476 Filed 9-20-79; 8:45 am]

BILLING CODE 6560-01-M