For the Nuclear Regulatory Commission.

William J. Dircks,

Executive Director for Operations.

[FR Doc. 80-40411 Filed 12-24-80; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 80-CE-14]

Transition Area—Greenfield, Iowa; Proposed Designation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rule making (NPRM).

SUMMARY: This notice proposes to designate a 700-foot transition area at Greenfield, Iowa, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Greenfield, Iowa, Airport based on the Greenfield Non-Directional Radio Beacon (NDB), a navigational aid.

DATES: Comments must be received on or before February 2, 1981.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (8181) 374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION, PLEASE CONTACT:

Dwaine E. Hiland, Airspace Specialist, Operations, Procedures, and Airspace Branch, Air Traffic Division, ACE-532, FAA, Central Region. 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before February 2, 1981 will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106 or by calling (816) 374-3408. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11-2 which described the application procedure.

The Proposal

The FAA is considering an amendment to Subpart G, § 71.181, of the Federal Aviation Regulations (14 CFR § 71.181) by designating a 700-foot transition area at Greenfield, Iowa. To enhance airport usage, the city of Greenfield, Iowa, has requested the development of an instrument approach procedure to the Greenfield Airport utilizing the Greenfield NDB as a navigational aid. This radio facility will provide new navigational guidance for aircraft utilizing the airport. The establishment of a new instrument approach procedure based on this navigational aid entails designation of a transition area at Greenfield, Iowa, at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

Accordingly, Federal Aviation Administration proposes to amend Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1980, (45 FR 445) by adding the following new transition area:

Greenfield, Iowa

That airspace extending upward from 700 feet above the surface withihn a five mile radius of the Greenfield Airport (Latitude 41° 20′ 00″N, Longitude 94° 26′ 38″w) and three miles either side of the 141° bearing of the Greenfield NDB (Latitude 41° 19′ 32″N, Longitude 94° 26′ 39″W) extending from five miles to 8.5 miles southeast of the NDB. (Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.65 of the Federal Aviation Regulations (14 CFR 11.65))

The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Kansas City, Missouri, on December 15, 1980.

Paul J. Baker,

Director, Central Region.

[FR Doc. 80-40260 Filed 12-24-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 73

[Airspace Docket No. 80-AWA-14]

Alteration of Restricted Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the description of Restricted Area R-4305, by changing the time of designation from 5 days per week to continuous. The Minnesota Air National Guard conducts an increasing amount of training on weekends and this action would extend the time of designation for R-4305 to include weekends.

DATES: Comments must be received on or before January 28, 1981.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA Great Lakes Region, Attention: Chief, Air Traffic Division, Docket No. 80-AWA-14, Federal Aviation Administration, 2300 East Devon, Des Plaines, Ill. 60018.

The official docket may be examined at the following location: FAA Office of the Chief Counsel, Rules Docket (AGC-204), Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591.

An informal docket may be examined at the Office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT:

Lewis Still, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic

Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426–8525.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon, Des Plaines, Ill. 60018. All communications received on or before January 28, 1981 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA–430, 800 Independence Avenue, SW., Washington, D.C., 20591, or by calling (202) 426–8058. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11–2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart B of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) that would extend the time of designation for the utilization of Restricted Area R–4305 from Monday through Friday, to "Continuous" (7 days per week). The 148th Tactical Reconnaissance Group (MN ANG), conducts an increasing amount of training missions on weekends and has requested the operating hours of R–4305 be extended to include this time period. Also, there is a minor change to the using agency's title. Section 73.43 of Part 73 was republished in the **Federal Register** on January 2, 1980, (45 FR 706).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 73.43 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) as republished (45 FR 706) as follows:

Under R–4305 Lake Superior, Minn.:
Time of designation. "0001 local time Monday to 2400 local time Friday." is deleted and "Continuous." is substituted therefor.
Using agency. "Commander, Eight Air Force, Barksdale AFB, La." is deleted and "Commander, Eight Air Force, Barksdale AFB, LA/DOOBS. (Autovon 781–3917/3857)" is substituted therefor.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65.)

The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Washington, D.C., on December 19, 1980.

B. Keith Potts,

Acting chief, Airspace and Air Traffic Rules Division.

[FR Doc. 80–40265 Filed 12–24–80; 8:45 am]

BILLING CODE 4910–13–M

Coast Guard

33 CFR Parts 88 and 89

[OGD 77–233]

Navigation Lights for Small Vessels

AGENCY: U.S. Coast Guard, DOT.

ACTION: Supplemental notice of proposed rulemaking.

SUMMARY: In the **Federal Register** of September 7, 1978, the Coast Guard proposed rules for approval, installation, and performance of navigation lights on vessels of less than 20 meters in length that must comply with the International Regulations for Preventing Collisions at Sea, 1972. Numerous comments were received and this supplemental notice of proposed rulemaking incorporates the recommendations of commenters. The principal changes are to allow manufacturer certification of lights in lieu of Coast Guard testing and approval and to make the practical cut-off and horizontal sector requirements less restrictive. These changes would substantially reduce the economic impact of the rules.

DATES: Comments must be received on or before February 27, 1981.

ADDRESSES: (a) Comments should be mailed to Commandant (G–CMC/24), (OGD 77–233), U.S. Coast Guard, Washington, D.C. 20593. The comments, draft evaluation, and other materials referenced in this notice will be available for examination and copying between 7 a.m. and 5 p.m., Monday through Thursday except holidays, at the Marine Safety Council (G–CMC/24), Room 2418, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593. Comments may also be hand-delivered to this address.

(b) The ABYC standard (A–16) referenced in this notice may be obtained at a cost of $3.00 from the American Boat and yacht Council, Inc., P.O. Box 806, Amityville, N.Y. 11701.

(c) The UL standard (1104) referenced in this notice may be obtained at a cost of $6.00 from Underwriters Laboratories Inc., 333 Pfingsten Road, Northbrook, IL 60062.

FOR FURTHER INFORMATION CONTACT: Mr. Lysle B. Gray, Office of Boating Safety (G–BBT–2/42), Room 4220, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C., 20593, (202) 426–4027.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names and addresses, identify this notice (OGD 77–233) and the specific sections of the proposal to which the comments apply, and give reasons for the comments. Persons desiring acknowledgement of their comments should enclose a stamped self-addressed postcard or envelope.

The rules may be changed in light of comments received. All comments received before the expiration of the comment period will be considered before final action is taken on these proposed rules. Copies of all written comments received will be available for examination by interested persons at the marine Safety Council address noted above.

Drafting Information

The principal persons involved in drafting this proposal are: Lysle Gray, and LTUG E. B. McLean, Office of Boating Safety, and William R. Register, Office of the Chief Counsel.

Background

A notice of proposed rulemaking (NPRM) for this proposal was published in the **Federal Register** of September 7, 1978, beginning at page 39946, (43 FR 39946). The NPRM proposed requirements for approval, installation, and performance of navigation lights on vessels of less than 20 meters in length that must comply with the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS). Two public hearings were held and 67 written comments were received. Revisions have been made to the proposal in accordance with the comments and this supplemental NPRM contains the proposed revisions.

Discussion of Comments and Revisions Made to the NPRM

The following paragraphs contain an analysis of comments received on the NPRM and an explanation of the proposed revisions in this supplemental NPRM.

1. *Practical cut-off and horizontal sectors.* Proposed § 89.5(a)(2) in the NPRM allowed up to 10° tolerance in the horizontal sector requirements in Rule 21 of the 72 COLREGS. This provision applied only to navigation lights installed on vessels before August 1, 1981. The proposed requirements for lights installed on and after this date, however, were much more restrictive. Proposed § 89.47 allowed only a 2° installation tolerance in light alignment. Proposed § 89.14(a) interpreted the term "practical cut-off" in Annex I of the 72 COLREGS to mean "50% of minimum required intensity," and proposed § 89.15 allowed only a 2° production tolerance in the horizontal sector intensities required by Annex I.

a. Numerous comments were received concerning these proposed requirements. Comments on proposed § 89.15 recommended an 8° production tolerance for horizontal sector intensity on the basis that more rigid production tolerances could not be achieved without excessive increases in production costs. Commenters on proposed § 89.47 objected to the proposed 2° installation tolerance as being virtually impossible to achieve when installing lights on a production basis. Commenters on proposed § 89.14 recommended that the proposed interpretation of "practical cut-off" be changed to "67% of minimum required intensity." These commenters stated that the 50% value would result in removal of several widely accepted models of navigation lights from the market and would substantially increase the cost to produce models still remaining on the market. Several other commenters also objected to these requirements, as well as other NPRM provisions, on more general grounds. The principal complaint was that lights which could meet the requirements of the NPRM would be exceedingly expensive for many recreational boat owners.

b. On the basis of these comments it is apparent that the 50% practical cut-off value and the 2° tolerances proposed in the NPRM for lights installed on and after August 1, 1981, are unreasonable from a cost standpoint and that production of lights in accordance with these requirements would in many cases be impracticable. Two principal revisions have been made in this supplemental NPRM to alleviate commenters' objections. The 2° tolerances have been replaced with the 10° tolerance proposed for existing lights and the 50% value in the interpretation of practical cut-off has been replaced with a 67% value. The specific changes are as follows:

i. The 10° tolerance provision in proposed § 89.5 (a)(2) has been made applicable to all navigation lights.

ii. Proposed § 89.14 of the NPRM has been transferred to § 88.5 of Part 88 and the 50% value for practical cut-off in that rule has been replaced with a 67% value.

iii. The 2 degree tolerance provisions in §§ 89.15 and 89.47 of the NPRM have been deleted.

These changes and other changes discussed below should substantially reduce the costs of this proposal and allow a larger number of existing models of navigation lights to continue in production without excessive tooling and design changes.

c. Although these revisions would allow greater production and installation tolerances for navigation lights installed on and after August 1, 1981, little change, if any, would result in the performance characteristics of these lights as observed during vessel operation. Most small vessels cannot maintain a constant heading when steering on a given course. As a result, the directional information that their navigation lights provide to oberservers on other vessels is sometimes inaccurate depending upon the relative positions of the other vessels. These inaccuracies will occur regardless of whether the lights are designed with a 10 degree tolerance in horizontal sectors, as proposed in § 89.5(a)(2), or with the more restrictive tolerances in the NPRM. These inaccuracies also correspond to visual discrepancies in course and heading observed on small vessels during daylight hours. As a general rule, the apparent heading of a small vessel, as observed during daylight hours, can vary by as much as 10 degrees from the vessel's actual heading.

d. In addition to making proposed § 89.5(a)(2) applicable to all navigation lights, the wording of this provision has been revised to parallel the corresponding enforcement provision in Commandant Instruction 16672.1. (As discussed in more detail in paragraph 9 of this preamble, the instruction outlines the Coast Guard's enforcement policy for navigation lights on small vessels). Section 89.5(a)(2) in the NPRM provided that compliance with the 72 COLREGS would be presumed unless visual inspection showed that a light's "horizontal arc of visibility deviates 10° or more from the requirements of rule 21 of the 72 COLREGS * * *." This supplemental NPRM provides that compliance will be presumed unless it can be determined that "a masthead light, sidelight, towing light, or sternlight, shows light more than 10° beyond the horizontal sector prescribed for the light in Rule 21 of the 72 COLREGS * * *." The purpose of the revision is to make clear that a 10° tolerance is only allowed outside required horizontal sectors. The allowable tolerances inside required horizontal sectors are the 2° and 6° obscuration allowances prescribed by proposed §§ 89.5(a)(5) and 89.5(a)(6).

2. *Adequacy of existing lights.* Several commenters objected to the NPRM on the basis that lights currently in use on small vessels are adequate and that no safety justification exists for imposing additional requirements. In support of their objections, the commenters stated that none of the Coast Guard casualty reports on small boat accidents list inadequacies in navigation lights as the principal cause of the casualty. These comments have not been adopted. The 72 COLREGS have the force and effect of U.S. law and do not provide for continued use of navigation lights that violate those requirements or the requirements of implementing regulations. Accordingly, continued use of noncomplying lights cannot be allowed. Their continued use also could pose a safety hazard. Nonconforming lights would exhibit lighting characteristics that are different from characteristics displayed by lights that do comply with the 72 COLREGS. The resulting confusion to mariners in trying to determine the intentions of approaching or nearby vessels at night and in periods of restricted visibility could result in dangerous passing situations or other hazardous situations.

3. *Certification.* Several manufacturers recommended that the approval procedures in the NPRM be

replaced with requirements that would allow manufacturers to certify that their lights meet 72 COLREGS requirements. The recommendations have been adopted in proposed §§ 89.7, 89.11(a)(2), and 89.11(b)(1). As explained in the draft evaluation, the certification process can provide an effective incentive for manufacturers to design and produce lights that conform to the 72 COLREGS and Coast Guard enforcement activity can be limited to the visual inspection process described in proposed § 89.5. The certification process can also eliminate administrative costs involved in the approval process and provide a corresponding reduction in governmental involvement in boating activities.

4. *Approval.* Proposed § 89.7 also allows carriage of Coast Guard approved lights in lieu of lights that have a manufacturer certification. The Coast Guard currently approves navigation light designs for use on merchant vessels that are required to comply with the electrical engineering regulations in Subchapter J of Title 46, CFR. The specific requirements for navigation lights are in Subpart 111.75 of Subchapter J. The electrical engineering regulations are being revised in a separate rulemaking docket (CGD 75–124) and the planned changes to Subpart 111.75 include a requirement that approved navigation lights must, as a condition of approval, meet the technical requirements of the 72 COLREGS or other applicable rules of the road.

5. *Testing.* The supplement NPRM also deletes the testing provisions in Subpart D of the NPRM. On the basis of subsequent Coast Guard analysis of those tests, it became apparent that they were not sufficiently complete to permit a laboratory to perform them without first obtaining additional information concerning specific test procedures to be used. Replacement tests have not been provided, however, in order to allow manufacturers leeway in determining what tests should be done to check for compliance with 72 COLREGS requirements. Two testing procedures currently exist that contain reliable test methods and criteria. The American Boat and Yacht Council has recently developed ABYC Standard A–16 entitled "Recommended Practices and Standards Covering the Design, Construction, Performance and Installation of Electric Navigation Lights". Underwriters Laboratories standard 1104 entitled "Standard for Navigation Lights" is also available. Copies of these standards may be obtained by writing to the appropriate address listed above under "ADDRESSES".

6. *Obscuration.* Proposed § 89.49(a) allows a 6° obscuration for an all-round light but limits masthead lights to a 2° obscuration and prohibits any obscuration for sidelights and sternlights. Several manufacturers recommended that, as a cost saving measure, this requirement be revised to allow a 6° obscuration allowance for all navigation lights on small vessels. This recommendation has not been adopted. A 6° obscuration allowance can cause noticeable changes in lighting configuration depending upon the relative position of an observer on an oncoming vessel. In any event, most lights on existing vessels already comply with this requirement and, on new vessels, proper selection and placement of lights can prevent obscuration. The cost to relocate lights on existing vessels in order to comply with this requirement should not be burdensome.

7. *Chromaticity.* Manufacturers of lights objected to the chromaticity requirements in the 72 COLREGS as being too restrictive. Compliance with these requirements should not pose a problem. They are referenced in both standards ABYC A–16 and UL 1104, and both standards provide realistic tests for measuring chromaticity.

8. *Combination sidelights.* Proposed § 89.17(c) in the NPRM prohibited red and green lenses in combination sidelights, if removable, from being interchangeable. This prohibition has been relaxed in the supplemental NPRM to allow interchangeable lens if the fixture is permanently marked with the words "red", "green", or "grn" to denote lens color. This revision has been made to further reduce retooling costs required for existing light designs to comply with these regulations. The revision will also allow a manufacturer to supply a lens from a certified light to a vessel operator who needs a replacement lens for an older light.

9. *Enforcement policy.* The current Coast Guard enforcement policy for navigation lights on small vessels is outlined in Commandant Instruction 16672.1 of 21 July 1980. This Instruction includes the enforcement procedures described in § 89.5 of this supplemental NPRM. However, the Instruction also provides that citations are not to be issued for failure to carry screens or for having certain lighting configurations that do not comply with the 72 COLREGS. The International Maritime Consultative Organization is currently considering amendments to the 72 COLREGS that would provide for optional use of screens on small vessels and that would permit the nonconforming configurations listed in the instruction. In all probability, the 72 COLREGS amendments will be adopted before the regulations in this supplemental NPRM become effective.

a. A violation of proposed § 89.7 would subject the vessel operator to penalties under the International Navigational Rules Act of 1977 (33 U.S.C. 1601–1608) or the Federal Boat Safety Act of 1971 (46 U.S.C. 1451–1489). Violations determined in accordance with the enforcement policy set out in proposed § 89.5 would also subject a vessel operator to these penalties.

b. Proposed §§ 89.9 and 89.11 are directed to manufacturers of certified lights. A manufacturer who violated one of these provisions would be subject to penalties under the Federal Boat Safety Act of 1971. The International Navigational Rules Act of 1977 does not include penalties for manufacturers.

10. *Effective date.* The planned effective date for these regulations is August 1, 1982. This date has been selected in consultation with Canadian officials who plan to adopt the same date in order to avoid conflicts in adjoining waters. The proposed compliance date in proposed § 89.7 for certified or approved lights coincides with this effective date.

Summary of Draft Evaluation

11. The proposed regulations are considered to be nonsignificant and, accordingly, a draft evaluation has been prepared and placed in the public docket as required by the DOT Policies and Procedures for Simplification, Analysis and Review of Regulations (DOT Order 2100.5 of May 22, 1980). The DOT Order requires that each draft evalution include an economic analysis which quantifies, to the extent practicable, the estimated cost of the regulations to the private sector, consumers, and Federal, State and local governments, as well as the anticipated benefits and impacts of the regulations. Comments on the content and accuracy of the evaluation may be submitted and will be considered in conjunction with comments submitted on the proposed regulations.

12. As explained in the draft evaluation, the total annual cost of these proposed regulations to the boating public would be approximately $4,410,000. This cost is $9,840,000 less than the total annual cost of $14,250,000 that would have been incurred if the NPRM requirements had been adopted. Increased costs to the Coast Guard and State and local governments resulting from this proposal are not expected. Adoption of these regulations would

improve the overall quality of navigation lights displayed on small vessels that operate in waters subject to the 72 COLREGS, and thereby decrease the risk of collision between vessels at night and in periods of restricted visibility.

Proposed Regulations (as Revised)

13. In consideration of the foregoing, the Coast Guard proposes to amend Title 33, Code of Federal Regulations, as follows:

PART 88—72 COLREGS; INTERPRETATIVE RULES

a. Part 88 would be amended by adding a new § 88.5 to read as follows:

§ 88.5 Practical cut-off.

For vessels less than 20 meters in length, the term "practical cut-off" used in Section 9 of Annex I to the 72 COLREGS means 67 percent of minimum required intensity. In addition, for practical cut-off to be reached, the intensity must decrease to 10 percent of minimum required intensity by 20° outside the prescribed horizontal sector required in Rule 21 of the 72 COLREGS.

b. A new Part 89 would be added to read as follows:

PART 89—NAVIGATION LIGHTS FOR SMALL VESSELS

Sec.
89.1 Scope and application.
89.3 Definitions.
89.5 Enforcement policy.
89.7 Certification or approval.
89.9 Construction.
89.11 Labeling.

Authority: 33 U.S.C. 1607; 46 U.S.C. 1454; 49 CFR 1.46.

§ 89.1 Scope and application.

(a) This part prescribes rules for navigation lights on vessels of less than 20 meters in length that must comply with the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS).

(b) The 72 COLREGS are published as Appendix A of Part 87 of this subchapter. The 72 COLREGS contain requirements for navigation lights that supplement the requirements in this part. Vessels must comply with the 72 COLREGS when operating outside the lines of demarcation prescribed in Part 82 of this subchapter.

§ 89.3 Definitions.

As used in this part:

(a) The terms "vessel", "power driven vessel", and "sailing vessel" have the same meaning provided for these terms in Rule 3 of the 72 COLREGS.

(b) The terms "masthead light", "sidelight", "sternlight", "all-round light", and "towing light" have the same meaning provided for these terms in Rule 21 of the 72 COLREGS.

§ 89.5 Enforcement policy.

(a) Installed Navigation lights are presumed to meet the requirements of the 72 COLREGS unless it can be determined by visual inspection that—

(1) Their configuration does not confirm to part C and Annex I of the 72 COLREGS:

(2) A masthead light, sidelight, towing light, or sternlight shows light more than 10 degrees beyond the horizontal sector prescribed for the light in Rule 21 of the 72 COLREGS;

(3) One or more lights is inoperative, or has a faulty lamp, switch, wiring, or battery or is not bright enough to be visible for the distance required by Rule 22 of the 72 COLREGS;

(4) The lens of any light is broken, scorched or faded, or otherwise does not meet the color requirements in Annex I of the 72 COLREGS;

(5) The horizontal sector of an all-round light is obscured for mo ? than 6 degrees by an opaque object or by misalignment.

(6) The horizontal sector of a masthead light is obscured for more than two degrees by an opaque object or by misalignment.

(7) The horizontal sector of a sidelight, sternlight, or towing light is obscured for any angle by an opaque object or by misalignment.

(8) The light is not in compliance with either § 89.7(a) or 89.7(b).

§ 89.7 Certification or approval.

(a) Each navigation light installed on a U.S. vessel on or after August 1, 1982, must have the certification marking prescribed by § 89.11(b)(1) or be approved by the Coast Guard in accordance with 46 CFR Subpart 11.75.

(b) Each navigation light installed on a foreign vessel on or after August 1, 1982, must meet paragraph (a) of this section or be certified by a foreign administration to meet the 72 COLREGS.

§ 89.9 Construction.

(a) Each certified navigation light housing must be constructed so that it may be accurately aligned during installation.

(b) Compliance with paragraph (a) of this section may be accomplished by using—

(1) flat vertical mounting surfaces, either transverse or longitudinal;

(2) index marking; or

(3) a template.

(c) The red and green lenses in certified combination side lights, if removable, may not be interchangeable unless the light fixture is permanently marked with the words "red" and "green", or "red" and "grn", adjacent to the mounting for the corresponding color lens.

§ 89.11 Labeling.

(a) Each manufacturer of a certified navigation light must mark each light, or the smallest package in which it is sold, with the following information:

(1) Manufacturer identification (name and address).

(2) Certification statement: "This navigation light is certified to be of a type that meets the 72 COLREGS if installed in accordance with manufacturer instructions."

(3) Name of light (e.g. masthead, sidelight, etc.).

(4) Application (e.g. sailing vessel, power driven vessel; size of vessel, i.e. vessels less than 12 meters in length or vessels less than 20 meters in length).

(5) Lamp type by the lamp manufacturer's identification.

(6) Lamp wattage and rated voltage.

(b) Each light must also be permanently marked with the following:

(1) The phrase "cert. 72 COLREGS" where it can be seen without disassembling the light and without removing it from its mounting.

(2) The lamp type where it can be seen by a person changing the lamp.

(3) The manufacturer's name or identifying mark where it can be seen without disassembling the light and without removing it from its mounting.

(c) Each navigation light must be packaged with instructions on how to install the light in a manner that ensures compliance with 72 COLREGS.

(33 U.S.C. 1607; 46 U.S.C. 1454; 49 CFR 1.46)

Dated: December 22, 1980.

H. W. Parker,

Rear Admiral, U.S. Coast Guard, Chief, Office of Boating, Public, and Consumer Affairs.

[FR Doc. 80-40403 Filed 12-24-80; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF TRANSPORTATION

33 CFR Part 161

[CGD 80-010]

Prince William Sound Vessel Traffic Service; Amendment to

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Coast Guard is proposing to amend the regulations which govern the Prince William Sound Vessel Traffic Service. The amendment will consist of minor alterations of a procedural nature and editorial changes. The intended effects of the proposal are to improve