

Rights Act of 1968, Executive Order 11063, Executive Order 11246, and Section 3 of the Housing and Urban Development Act of 1968, and that the owner will undertake marketing activities as required by § 880.601(a).

§ 880.301 [Amended]

8. In § 880.307(b), twentieth line, delete the semicolon after "extent of displacement" in the phrase "extent of displacement and feasibility of relocation; * * *

9. Paragraph (a)(5) of § 880.308, *Contents of final proposal*, is revised as follows:

§ 880.308 Contents of final proposal.

(a) * * *

(5) A statement of the marketing activities the owner intends to take in accordance with the requirements of § 880.601(a)(3). Such efforts might include: Participation in regional or sub-regional application pools and clearinghouses; establishment of a referral system with PHAs, other public agencies and Section 8 owners/managers in the surrounding area; and contact with and provision of information about the project to employers and their employees, labor unions, State or areawide employment service centers and interested community groups.

§ 880.403 [Amended]

10. In § 880.403, delete the word "or" at the end of paragraph (a)(4), change the period at the end of paragraph (a)(5) to a semicolon, and insert the word "or" at the end of paragraph (a)(5).

§ 880.502 [Amended]

11. In § 880.502(a)(2), sixth line, change "(ii) 30 years, or (iii) 40 years * * *" to "(ii) 30 years, or 40 years * * *"

12. Paragraph (a)(3) of § 880.601, *Responsibilities of Owner*, is revised as follows:

§ 880.601 Responsibilities of Owner.

(a) * * *

(3) With respect to non-elderly family units, the owner must undertake marketing activities in advance of marketing to other prospective tenants in order to provide opportunities to reside in the project to non-elderly families who are least likely to apply, as determined in the Affirmative Fair Housing Marketing Plan, and to non-elderly families expected to reside in the community by reason of current or planned employment.

(Sec. 7(d), Department of HUD Act (42 U.S.C. 3535(d)))

Issued at Washington, D.C., March 17, 1980.

Lawrence B. Simons,
Assistant Secretary for Housing, Federal
Housing Commissioner.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 164

[CGD 77-183]

Navigation Safety Regulations

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This rule amends the regulations governing carriage of continuous depth sounding recording equipment and testing of other equipment by vessels of 1600 or more gross tons before entering or getting underway on United States waters on the Great Lakes. The lack of depth contours below 30 feet on charts of the Great Lakes and absence of demonstrated utility of a continuous echo depth sounding recorder on the Great Lakes makes required carriage of this equipment unnecessary. In addition, strict compliance with the existing equipment testing regulations requires vessels to unnecessarily re-test equipment every time they re-enter United States waters incident to a single passage. Strict compliance would require vessels entering the Great Lakes via the St. Lawrence Seaway to test their steering gear and other critical equipment while transiting the relatively confined channels of the St. Lawrence River, a practice which may create an unsafe condition.

This regulation eliminates the requirement that vessels navigating on the Great Lakes be equipped with a device which can continuously record the readings of the vessel's echo depth sounding device, allows vessels which have initially complied with equipment testing requirements of Part 164 to continue to their next port of call on the Great Lakes without re-testing, and allows vessels entering the Great Lakes from the St. Lawrence Seaway to complete equipment test requirements within one hour of passing Wolfe Island. The result of this rulemaking is a more reasonable and safe approach to navigation requirements on the Great Lakes.

EFFECTIVE DATE: March 24, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Timothy E. Foley, Office of Marine Environment and Systems (G-WLE-4/

11), Room 1608, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, DC 20593, (202) 426-4958. Normal office hours are between 7:30 a.m. and 4:30 p.m. Monday through Thursday.

SUPPLEMENTARY INFORMATION: On Tuesday, September 4, 1979, the Coast Guard published a proposed rule (44 FR 51620) concerning these amendments. The public was given until October 17, 1979 to submit comments. Two comments were received.

Drafting Information

The principal persons involved in drafting this proposal are: Mr. Timothy E. Foley, Project Manager, Office of Marine Environment and Systems and Lieutenant Jack Orchard, Project Counsel, Office of the Chief Counsel.

Discussion of Major Comments

One commenter expressed support for the amendment eliminating the requirement that vessels re-test their equipment each time a vessel re-enters the United States waters on the Great Lakes and considers the present testing requirements impractical because Great Lakes sailing courses frequently cross the international boundary line between the United States and Canada. The commenter finds it particularly impractical in confined waters where the performance of such tests could increase the risk of collision or grounding. Both commenters supported the amendment which would eliminate the requirement that vessels navigating on the Great Lakes be equipped with a continuous echo depth sounding recorder. One commenter considered the continuous recording device to be of dubious benefit while the other considered it expensive to install and maintain while providing no useful navigational information. No comments directly concerning the proposal to amend the equipment testing requirements for vessels entering United States waters via the St. Lawrence River were received.

Evaluation

The Coast Guard has evaluated this final rule under the Department of Transportation's "Regulatory Policies and Procedures", published on February 26, 1979 (44 FR 11034). A copy of the Final Evaluation may be obtained from Commandant (G-CMC/24), U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, DC 20593.

This rule finalizes an exemption to the current regulations and is thus given an immediate effective date under the authority of 5 U.S.C. 553(d)(1).

In consideration of the foregoing, in Chapter I of Title 33, Code of Federal Regulations Part 164 is amended as follows:

1. § 164.25 is amended to read as follows:

§ 164.25 Tests before entering or getting underway.

(a) Except as provided in paragraphs (b) and (c) of this section no person may cause a vessel to enter into or get underway on the navigable waters of the United States unless no more than 12 hours before entering or getting underway, the following equipment has been tested:

(1) Primary and secondary steering gear.

(2) All internal vessel control communications and vessel control alarms.

(3) Standby or emergency generator, for as long as necessary to show proper functioning, including steady state temperature and pressure readings.

(4) Storage batteries for emergency lighting and power systems in vessel control and propulsion machinery spaces.

(5) Main propulsion machinery, ahead and astern.

(b) Vessels navigating on the Great Lakes and their connecting and tributary waters, having once completed the test requirements of this sub-part, are considered to remain in compliance until arriving at the next port of call on the Great Lakes.

(c) Vessels entering the Great Lakes from the St. Lawrence Seaway are considered to be in compliance with this sub-part if the required tests are conducted preparatory to or during the passage of the St. Lawrence Seaway or within one hour of passing Wolfe Island.

2. § 164.35(i) is amended to read as follows:

§ 164.35 Equipment: All vessels.

Each vessel must have the following:

(i) A device that can continuously record the depth readings of the vessel's echo depth sounding device, except when operating on the Great Lakes and their connecting and tributary waters.

(92 Stat. 1471 (33 U.S.C. 1221 et seq.); 49 CFR 1.46(n)(4)).

Dated: March 13, 1980.

J. B. Hayes,

Admiral, U.S. Coast Guard Commandant.

[FR Doc. 80-3946 Filed 3-21-80; 8:45 am]

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DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

33 CFR Part 222

[ER 1110-2-106]

Engineering and Design; National Program for Inspection of Non-Federal Dams

AGENCY: Corps of Engineers.

ACTION: Final rule.

SUMMARY: This regulation prescribes procedures for the implementation of a National Program for Inspection of Non-Federal Dams. This amendment to 33 CFR Part 222 changes the hazard potential criteria for the classification of dams, relieves the Corps of funding expenses of state employees for training activities relating to dam inspection work, and reduces the length of the Hayward and White Wolfe Faults on the seismic zone map. The inspection program will alert the states and the owners of non-Federal dams to conditions that may constitute a danger to human life or property.

EFFECTIVE DATE: March 24, 1980.

FOR FURTHER INFORMATION CONTACT: Robert J. Smith, Structures Branch, Office, Chief of Engineers, Department of the Army, Washington, D.C. 20314 (202) 272-0219.

FOR THE CHIEF OF ENGINEERS:

Date: March 19, 1980.

Forrest T. Gay III,

Colonel, Corps of Engineers Executive Director, Engineer Staff.

Accordingly, 33 CFR 222.8 is amended as follows:

§ 222.8 National Program for Inspection of Non-Federal Dams.

1. Paragraphs (h)(3), (m)(2), and (m)(3) are revised to read as follows:

(h)(3). The hazard potential classification shall be in accordance with paragraph 2.1.2 Hazard Potential of the Recommended Guideline for Safety Inspection of Dams (Appendix D to this section).

(m)(2). Salaries, per diem and travel expenses relating to training activities of State employees will be a State expense. There will be no tuition charge for State employees.

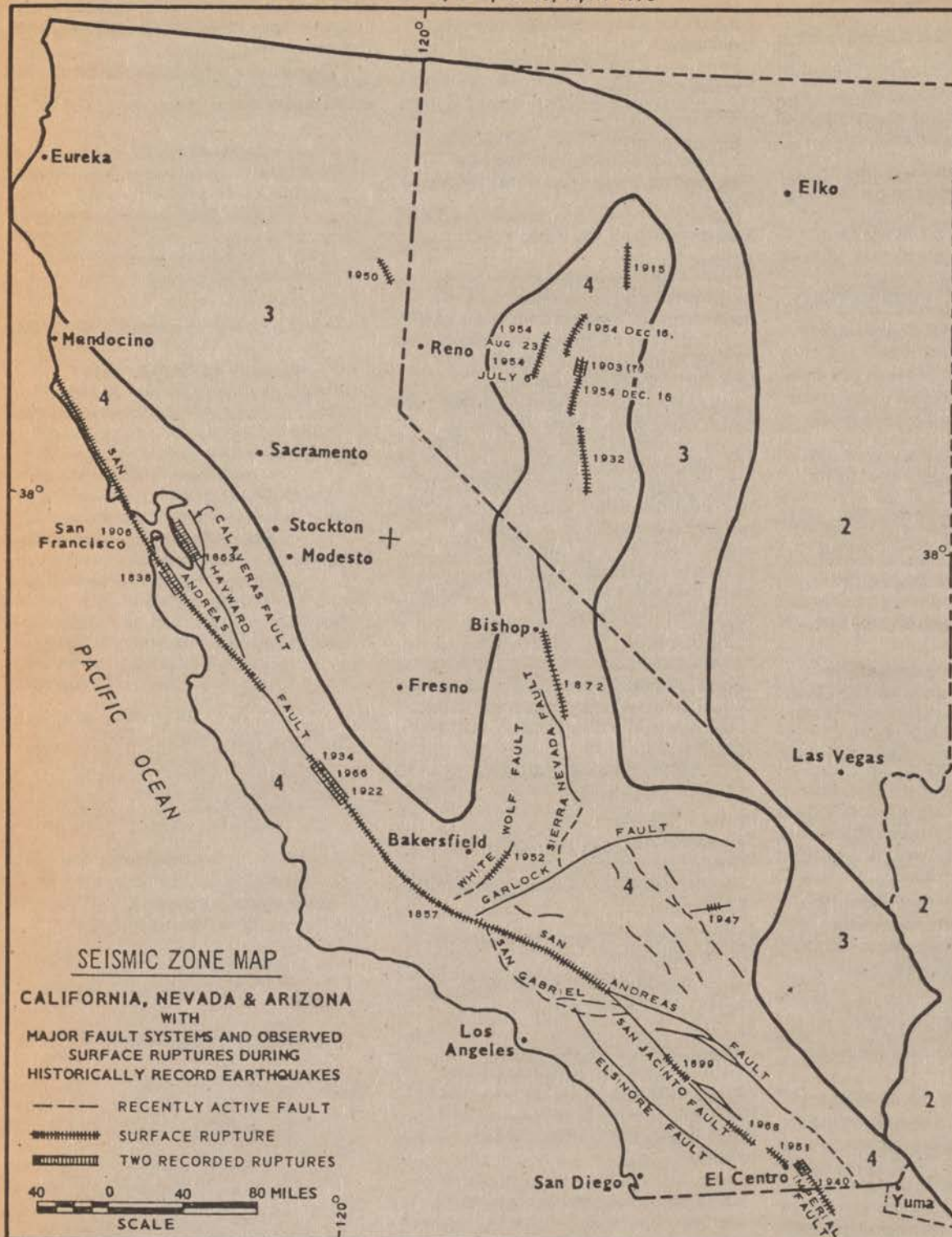
(m)(3). Architect-Engineer firms will be required to pay expenses and tuition costs for their employees participating in Corps-sponsored training activities.

2. The Seismic Zone Map for California, Nevada and Arizona in Figure 2, Appendix D, is revised as shown below:

Appendix D [Amended].

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From TM 5-809-10/NAVFAC P-355/AFM 88-3, Chapter 13; April 1973



Appendix D, Figure 2