

operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law. All valid applications received at or prior to 7:45 a.m. on June 15, 1982, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands described in paragraph 1 will also be opened to location of nonmetalliferous minerals under the United States mining laws, at 7:45 a.m. on June 15, 1982. The land has been and continues to be open to location of metalliferous minerals and applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, Federal Building, P.O. Box 042, Boise, Idaho 83724.

Garry E. Carruthers,
Assistant Secretary of the Interior.
May 10, 1982.

[FR Doc. 82-13734 filed 5-19-82; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 6247

[NM-45734]

New Mexico; Public Land Order 6067; Correction

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This document will correct an error in the date of an Executive Order referred to on Public Land Order 6067 of October 28, 1981 (46 FR 81-31230).

EFFECTIVE DATE: May 20, 1982.

FOR FURTHER INFORMATION CONTACT: Miguel M. Martinez, New Mexico State Office, 505-988-6211.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

In the notice published as Public Land Order 6067 under serial No. NM-45734 appearing as FR Doc. 81-31230 (filed October 27, 1981), in the October 28, 1981, issue of the *Federal Register*, at page 53166, paragraph 1, line 2 is corrected to read "22, 1924 * * *" instead of "22, 1964 * * *".

Garrey E. Carruthers,
Assistant Secretary of the Interior.
May 10, 1982.

[FR Doc. 82-13733 Filed 5-19-82; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 6248

[M-042782]

Montana; Partial Revocation of Public Land Order No. 2924

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order partially revokes a public land order as to 127.25 acres of land withdrawn for use as a Forest Service administrative site. It also restores the land to operation of the surface and mining laws. The lands have been and will remain open to mineral leasing.

EFFECTIVE DATE: June 15, 1982.

FOR FURTHER INFORMATION CONTACT: Roland F. Lee, Montana State Office, 406-657-6291.

By virtue of the authority vested in the Secretary of the Interior, by Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Public Land Order No. 2924 dated January 30, 1963, which withdrew certain land for an administrative site, is hereby revoked, in part, insofar as it affects the following described lands:

Principal Meridian

T. 6 S., R. 16 W.,
Sec. 1, lot 4 and W $\frac{1}{2}$ SW $\frac{1}{4}$.

The area described contains 127.25 acres located in Beaverhead County.

2. At 8 a.m. on June 15, 1982, the above described lands will be opened to operation of the public land laws generally, subject to valid existing rights, provisions of existing withdrawals, and requirements of applicable laws. All valid applications received at or prior to 8 a.m. on June 15, 1982, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in order of filing.

3. The public lands described above will be open to mineral location under the mining laws at 8 a.m. on June 15, 1982.

The lands have been and continue to be open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107.

Garrey E. Carruthers,
Assistant Secretary of the Interior.
May 10, 1982.

[FR Doc. 82-13732 Filed 5-19-82; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6305]

List of Communities Eligible for the Sale of Insurance Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain flood plain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATE: The date listed in the fifth column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20834, Phone: (800) 638-6620.

FOR FURTHER INFORMATION CONTACT: Mr. Richard E. Sanderson, Chief, Natural Hazards Division, (202) 287-0270, 500 C Street Southwest, Donohoe Building, Room 505, Washington, DC 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the sixth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or

federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

The Director finds that delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance." This program is

subject to procedures set out in OMB Circular A-95.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice stating the community's status in the

NFIP and imposes no new requirements or regulations on participating communities.

PART 64—COMMUNITIES ELIGIBLE FOR THE SALE OF INSURANCE

List of Subjects in 44 CFR Part 64

Flood insurance, Flood plains.
Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Arkansas: Ashley	Hamburg, city of	050005B	Apr. 1, 1981, suspension withdrawn	May 17, 1974 and Oct. 10, 1975.
Florida: Lake	Unincorporated areas	120421B	do	May 26, 1978.
Illinois:				
Williamson	Johnston City, city of	170718C	do	June 28, 1974, Apr. 2, 1976, and Sept. 29, 1979.
Douglas	Tuscola, city of	170195C	do	Nov. 30, 1973, July 9, 1976 and Sept. 12, 1980.
Indiana: Porter	Unincorporated areas	180425B	do	Apr. 14, 1978.
Kansas: Riley	Unincorporated areas	200298B	do	Feb. 15, 1974 and Nov. 22, 1977.
Maine:				
York	Limington, town of	230152C	do	May 31, 1974, Oct. 22, 1976, and Aug. 10, 1979.
Cumberland	Naples, town of	230050B	do	Aug. 9, 1974 and Mar. 11, 1972.
Oxford	Waterford, town of	230343A	do	Feb. 14, 1975.
Massachusetts: Suffolk	Boston, city of	250286C	do	Nov. 22, 1974, Feb. 11, 1977, and June 7, 1977.
Michigan:				
Calhoun	Marshall, city of	260053B	do	May 3, 1974 and June 4, 1976.
Ingham	Williamston, city of	260094B	do	May 3, 1974 and July 30, 1976.
Minnesota: Swift	Appleton, city of	270466B	do	Nov. 16, 1973 and May 14, 1976.
Missouri:				
Harrison	Bethany, city of	290154B	do	Jan. 23, 1974 and Jan. 2, 1976.
Clinton	Trimble, city of	290510A	do	Feb. 7, 1975.
New Hampshire:				
Cheshire	Roxbury, town of	330172A	do	Feb. 14, 1975.
Coos	Lancaster, town of	335277B	do	Apr. 13, 1973, July 1, 1974, and Dec. 12, 1975.
New Jersey: Bergen	Bogota, borough of	340021B	do	May 3, 1974 and Feb. 27, 1976.
New York:				
Erie	Clarence, town of	360232B	do	July 16, 1976.
Cayuga	Weedsport, village of	360132B	do	June 7, 1974 and June 25, 1976.
North Carolina:				
Pitt	Farmville, town of	370190B	do	Apr. 12, 1974 and June 25, 1976.
Johnston	Smithfield, town of	370140B	do	Oct. 29, 1976.
Ohio:				
Ottawa	Elmore, village of	390610B	do	Oct. 18, 1974 and July 11, 1975.
Ottawa	Oak Harbor, village of	390433B	do	Mar. 1, 1974 and Apr. 16, 1976.
Pennsylvania:				
Butler	Cranberry, township of	421217B	do	Sept. 20, 1974 and Apr. 30, 1976.
Blair	Greenfield, township of	421389A	do	Feb. 14, 1975.
Cumberland	North Middleton, township of	420367B	do	July 26, 1974 and May 28, 1976.
Rhode Island: Providence	Pawtucket, city of	440222C	do	July 16, 1971, July 1, 1974 and June 11, 1976.
Texas:				
Bee	Unincorporated areas	480026B	do	Oct. 18, 1974 and Aug. 16, 1977.
Dallas and Tarrant	Grand Prairie, city of	485472B	do	July 6, 1973 and Sept. 10, 1976.
Travis	Unincorporated areas	481026B	do	Mar. 7, 1978.
Wisconsin:				
Racine	Unincorporated areas	550347B	do	May 20, 1977.
Barron	Rice Lake, city of	550016C	do	Dec. 7, 1973, July 30, 1976 and Mar. 16, 1979.
Colorado: Mesa	Collbran, town of	080116B	Apr. 15, 1982, suspension withdrawn	Aug. 30, 1974 and Dec. 26, 1976.
Illinois:				
DuPage	Unincorporated areas	170197B	do	May 13, 1977.
Madison	do	170436B	do	Jan. 31, 1975 and Oct. 1, 1976.
Morgan	Meredosia, village of	170517C	do	Jan. 9, 1974, Apr. 30, 1976, and Aug. 17, 1979.
Will	Unincorporated areas	170695B	do	Apr. 22, 1977.
Kansas: Lyon	Americus, city of	200202A	do	Apr. 16, 1976.
Maine:				
Washington	Baileyville, town of	230304B	do	Jan. 24, 1974.
Cumberland	Harrison, town of	230049B	do	June 21, 1974 and Nov. 12, 1976.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Michigan:				
Kalamazoo	Charleston, township of	260426A	do	July 25, 1975.
Ingham	Williamstown, township of	260095A	do	Aug. 27, 1976.
Minnesota:				
Rice	Dundas, city of	270403A	do	Oct. 25, 1974.
Hennepin	Medicine Lake, city of	270690A	do	Dec. 17, 1976.
Winona	St. Charles, city of	270531B	do	May 24, 1974 and Apr. 4, 1975.
Missouri: Cass	Unincorporated areas	290783B	do	Mar. 14, 1978.
Nebraska: Dakota	Unincorporated areas	310429B	do	June 28, 1977.
New Hampshire:				
Rockingham	Epping, town of	330129B	do	July 19, 1974 and Nov. 15, 1977.
Do	Hampton Falls, town of	330133B	do	Dec. 6, 1974 and June 11, 1976.
Do	Raymond, town of	330140B	do	Aug. 9, 1974 and July 2, 1976.
New Jersey:				
Burlington	Bordentown, township of	340088B	do	June 28, 1974 and Mar. 19, 1976.
Hunterdon	Tewksbury, township of	340516B	do	June 28, 1974 and June 11, 1976.
Monmouth	Tinton Falls, borough of	340318C	do	Apr. 12, 1974, Apr. 23, 1976, and Dec. 31, 1976.
Hunterdon	Union, township of	340242B	do	May 11, 1973 and Aug. 1, 1978.
New York:				
Oswego	Fulton, city of	360649B	do	Oct. 18, 1974 and Nov. 28, 1975.
Ontario	Geneva, city of	360599B	do	May 17, 1974 and Sept. 10, 1976.
Monroe	Mendon, town of	360423B	do	Apr. 12, 1974 and Nov. 26, 1976.
Ulster	New Platz, village of	361544B	do	Jan. 24, 1975.
Rockland	Pomona, village of	360698B	do	Mar. 15, 1974 and July 30, 1976.
Orange	Tuxedo, town of	360631B	do	Apr. 12, 1974.
Oswego	Volney, town of	361268B	do	Nov. 1, 1974 and June 11, 1976.
Ohio: Wood	Portage, village of	390754A	do	Apr. 18, 1975.
Oklahoma:				
Le Flore	Howe, town of	400091A	do	July 2, 1976.
Cherokee	Hulbert, town of	400036B	do	Apr. 12, 1974 and Aug. 20, 1976.
Sequoyah	Moffett, town of	400196A	do	July 16, 1976.
Do	Muldrow, town of	400197B	do	June 28, 1974 and Sept. 17, 1976.
Pennsylvania: Fayette	Perry, township of	421634A	do	Dec. 13, 1974.
Vermont: Washington	Waterbury, village of	500123B	do	May 10, 1974 and Mar. 26, 1976.
Virginia: Washington	Bristol, city of	510022B	do	Mar. 8, 1974 and June 25, 1976.
Washington: Kittitas	Kittitas, town of	530098B	do	June 14, 1974 and Apr. 16, 1976.
West Virginia:				
Kanawha	Belle, town of	540071C	do	Mar. 1, 1974, Apr. 25, 1975 and Oct. 31, 1975.
Do	Marmet, town of	540079B	do	April 12, 1974 and June 11, 1976.
Wisconsin: Rock	Edgerton, city of	550365B	do	Dec. 17, 1973 and June 4, 1976.
Alabama: Tuscaloosa	Tuscaloosa, city of	010203A	Apr. 28, 1982, suspension withdrawn	Oct. 24, 1975.
Pennsylvania: Montgomery	Bryn Athyn, borough of	421899A	Mar. 10, 1976, emergency, Feb. 17, 1982, regular, Feb. 17, 1982, suspended, April 2, 1982, reinstated.	Dec. 20, 1974.
North Dakota:				
McKenzie	Watford, city of	380344A	Apr. 2, 1982, emergency	June 5, 1979.
Cass	Briarwood, city of	380651New	do	do
Missouri:				
Clark	Unincorporated areas	290792A	Apr. 6, 1982, emergency	Sept. 15, 1981.
Perry	do	290280A	do	Oct. 13, 1981.
Virginia: Giles	do	510067B	Oct. 24, 1973, emergency, June 15, 1981, regular, June 15, 1981, suspended, Apr. 9, 1982, reinstated.	Aug. 2, 1974 and Mar. 5, 1976.
Washington: Clark	Vancouver, city of	530027B	June 2, 1972, emergency Aug. 17, 1981, regular, Aug. 17, 1981, suspended, April 16, 1982, reinstated.	Aug. 2, 1974 and Nov. 14, 1975.
Minnesota:				
Fillmore and Olmsted	Chatfield, city of	270125	Apr. 15, 1982, emergency	Aug. 13, 1976.
Polk	Fisher, city of	270366A	Apr. 21, 1982, emergency	Aug. 2, 1974.
Nevada: Lyon	Unincorporated areas	320029A	Apr. 20, 1982, emergency	Jan. 31, 1978.
Ohio: Ashland	do	390759A	do	Feb. 10, 1978.
Pennsylvania:				
Columbia	Jackson, township of	421552	Apr. 26, 1982, emergency	Dec. 13, 1982
Beaver	Hanover, township of	421223A	do	Sept. 6, 1974 and Oct. 1, 1976.
Michigan: Lapeer	Lapeer, township of	260435A	do	Apr. 15, 1977.
Kansas: Marshall	Waterville, city of	200556	do	Aug. 29, 1975.
Washington:				
Pierce	Milton, town of	530294A	Apr. 26, 1982, emergency, Apr. 26, 1982, regular.	Dec. 3, 1976 and Feb. 17, 1982.
Do	Roy, city of	530262B	Apr. 26, 1982, emergency, Apr. 26, 1982, regular.	July 18, 1975, June 21, 1977 and Mar. 15, 1982.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: April 30, 1982.

Lee M. Thomas,
Associate Director, State and Local Programs and Support.

[FR Doc. 82-13535 Filed 5-19-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 64

[Docket No. FEMA 6306]

List of Communities Eligible for the Sale of Insurance under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP) and eligible for second layer insurance coverage. These communities have applied to the program and have agreed to enact certain flood plain management measures. The communities' participation in the regular program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The date listed in the fourth column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638-6620.

FOR FURTHER INFORMATION CONTACT: Mr. Richard E. Sanderson, Chief, Natural

Hazards Division, (202) 287-0270, 500 C Street Southwest, Donohoe Building, Room 505, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, Subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fifth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

The Director finds that delayed

effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance." This program is subject to procedures set out in OMB Circular A-95.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

PART 64—COMMUNITIES ELIGIBLE FOR THE SALE OF INSURANCE

List of Subjects in 44 CFR Part 64

Flood insurance, Flood plains.

Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective date of authorization of sale of flood insurance for area ¹	Hazard area identified
Alabama: Macon County	Macon County ²	010148	750529 emergency, 820401 regular	780106
Arkansas:				
Ashley County	Hamburg, city of	050005	741018 emergency, 820401 regular	740517
Hempstead County	Hope, city of	050087	750703 emergency, 820401 regular	740123
Drew County	Monticello, city of	050074	750403 emergency, 820401 regular	780521
Jackson County	Newport, city of	050103	750620 emergency, 820401 regular	731116
Connecticut:				
Middlesex County	Durham, city of	090185	750715 emergency, 820401 regular	741129
Tolland County	Tolland, city of	090171	750529 emergency, 820401 regular	750131
Florida: Lake County	Lake County ³	120421	781221 emergency, 820401 regular	780526
Georgia: Brooks County	Quitman, city of	130015	731226 emergency, 820401 regular	740329
Illinois:				
McHenry County	Holiday Hills, village of	170936	770808 emergency, 820401 regular	780428
Williamson County	Johnston City, city of	170718	750725 emergency, 820401 regular	740626
Douglas County	Tuscola, city of	170195	751017 emergency, 820401 regular	731130
Indiana:				
Porter County	Porter County ⁴	180425	750905 emergency, 820401 regular	780414
Shelby County	Shelbyville, city of	180236	750414 emergency, 820401 regular	731217
Kansas: Riley County	Riley County ⁵	200298	750623 emergency, 820401 regular	740215
Massachusetts: Suffolk County	Boston, city of	250286	750777 emergency, 820401 regular	741122
Maine:				
York County	Limington, town of	230152	780816 emergency, 820401 regular	740531
Cumberland County	Naples, town of	230050	750709 emergency, 820401 regular	740609
Cumberland County	New Gloucester, town of	230201	760407 emergency, 820401 regular	750321
Oxford County	Waterford, town of	230343	751212 emergency, 820401 regular	750214
Michigan:				
Calhoun County	Marshall, city of	260053	750513 emergency, 820401 regular	740614
Ingham County	Williamston, city of	260094	750724 emergency, 820401 regular	740503
Minnesota: Swift County	Appleton, city of	270466	730126 emergency, 820401 regular	731116
Missouri:				
Harrison County	Bethany, city of	290154	750619 emergency, 820401 regular	740123
Nodaway County	Burlington Junction, city of	290740	760726 emergency, 820401 regular	750711
Clinton County	Trimble, city of	290510	760503 emergency, 820401 regular	750207
North Carolina:				
Pitt County	Farmville, town of	370190	741015 emergency, 820401 regular	740412
Johnston County	Smithfield, town of	370140	750120 emergency, 820401 regular	761029
New Hampshire: Cheshire County	Roxbury, town of	330172	801110 emergency, 820401 regular	750214
New Jersey: Bergen County	Bogota, borough of	340021	750707 emergency, 820401 regular	740531

State and county	Location	Community No.	Effective date of authorization of sale of flood insurance for area ¹	Hazard area identified
New York:				
Erie County	Clarence, town of	360232	750325 emergency, 820401 regular	740517
Cayuga County	Weedsport, village of	360132	740607 emergency, 820401 regular	740607
Ohio:				
Ottawa County	Elmore, village of	390610	751009 emergency, 820401 regular	741018
Do	Oak Harbor, village of	390433	770428 emergency, 820401 regular	740301
Oregon:				
Jackson County	Jackson County ²	415589	701231 emergency, 820401 regular	780411
Washington County	North Plains, city of	410270	770325 emergency, 820401 regular	780718
Pennsylvania:				
Butler County	Cranberry, township of	421217	740916 emergency, 820401 regular	740920
Blair County	Greenfield, township of	421389	750728 emergency, 820401 regular	750214
Cumberland County	North Middleton, township of	420367	730112 emergency, 820401 regular	740726
Texas:				
Bee County	Bee County ²	480026	741106 emergency, 820401 regular	741018
Travis County	Travis County ²	481026	760129 emergency, 820401 regular	780307
Wisconsin:				
Racine County	Racine County ²	550347	730705 emergency, 820401 regular	770520
Barron County	Rice Lake, city of	550016	750710 emergency, 820401 regular	731207
New York: Albany County	Ravena, village of	361346	791029 emergency, 820402 regular	761022
Colorado: Mesa County	Collbran, town of	080116	750812 emergency, 820415 regular	740830
Illinois:				
Du Page County	Du Page County	170197	730502 emergency, 820415 regular	770513
Madison County	Madison County ²	170436	730806 emergency, 820415 regular	750131
Morgan County	Meredosia, village of	170517	740313 emergency	740109
Illinois: Will County	Will County ²	170695	740422 emergency, 820415 regular	770422
Kansas: Lyon County	Americus, city of ²	200202	750708 emergency, 820415 regular	760416
Maine:				
Washington County	Baileyville, town of	230304	780615 emergency, 820415 regular	0
Cumberland County	Harrison, town of	230049	750501 emergency, 820415 regular	740621
Michigan:				
Kalamazoo County	Charleston, township of	260426	761220 emergency, 820415 regular	750725
Ingham County	Williamstown, township of	260095	770127 emergency, 820415 regular	760827
Minnesota:				
Olmsted County	Dover, city of	270566	820315 emergency, 820415 regular	741101
Rice County	Dundas, city of	270403	750929 emergency, 820415 regular	741025
Hennepin County	Medicine Lake, city of	270690	781221 emergency, 820415 regular	761217
Winona County	St. Charles, city of	270531	750604 emergency, 820415 regular	740524
Missouri: Cass County	Cass County ²	290783	750421 emergency, 820415 regular	780314
Nebraska:				
Dakota County	Dakota County ²	310429	750880 emergency, 820415 regular	770628
Lancaster County	Waverly, city of	310140	750613 emergency, 820415 regular	731217
New Hampshire:				
Rockingham County	Epping, town of	330129	750702 emergency, 820415 regular	740719
Rockingham County	Hampton Falls, town of	330133	751031 emergency, 820415 regular	741206
Rockingham County	Raymond, town of	330140	751015 emergency, 820415 regular	740809
New Jersey:				
Burlington County	Bordentown, township of	340088	750808 emergency, 820415 regular	740628
Monmouth County	Colts Neck, township of	340291	750703 emergency, 820415 regular	740412
Hunterdon County	Tewksbury, township of	340516	750116 emergency, 820415 regular	740628
Monmouth County	Tinton Falls, borough of	340318	750417 emergency, 820415 regular	740412
Hunterdon County	Union, township of	340242	750729 emergency, 820415 regular	740719
New York:				
Oneida County	Bridgewater, village of	360522	760811 emergency, 820415 regular	740517
Oswego County	Fulton, city of	360649	741120 emergency, 820415 regular	741018
Ontario County	Geneva, city of	360599	750218 emergency, 820415 regular	740517
Monroe County	Mendon, town of	360423	750414 emergency, 820415 regular	740412
New York:				
Madison County	Morrisville, village of	360406	761128 emergency, 820415 regular	740308
Ulster County	New Platz, village of	361544	760309 emergency, 820415 regular	750124
Rockland County	Pomona, village of	360688	741213 emergency, 820415 regular	740315
Orange County	Tuxedo, town of	360631	750602 emergency, 820415 regular	740412
Oswego County	Volney, town of	361266	751120 emergency, 820415 regular	741101
Ohio: Wood County	Portage, village of	390754	760506 emergency, 820415 regular	750418
Oklahoma:				
LeFlore County	Howa, town of	400091	761021 emergency, 820415 regular	760702
Cherokee County	Hulbert, town of	400036	750929 emergency, 820415 regular	740412
Creek County	Kiefer, town of	400393	750709 emergency, 820415 regular	760813
Sequoyah County	Moffett, town of	400196	760902 emergency, 820415 regular	760716
Sequoyah County	Muldrow, town of	400197	750731 emergency, 820415 regular	740628
Pennsylvania: Fayette County	Perry, township of	421634	750110 emergency, 820415 regular	741213
Virginia: Independent County	Bristol, city of	510022	760212 emergency, 820415 regular	740308
Vermont:				
Washington County	Waterbury, town of	500123	750721 emergency, 820415 regular	740628
Washington County	Waterbury, village of	500122	750502 emergency, 820415 regular	740510
Washington: Kittitas County	Kittitas, town of	530098	740522 emergency, 820415 regular	740614
Wisconsin: Rock County	Edgerton, city of	550365	750617 emergency, 820415 regular	731217
West Virginia:				
Kanawha County	Belle, town of	540071	750716 emergency, 820415 regular	740301
Kanawha County	Marmet, town of	540079	750612 emergency, 820415 regular	740412
Fayette County	Smithers, town of	540033	750612 emergency, 820415 regular	740517
Lewis County	Weston, city of	540087	741101 emergency, 820415 regular	740405
Total—94.				

¹ Key for reading 5th column (effective date): First two digits designate the year. Middle two digits designate the month. Last two digits designate the day.

² Unincorporated areas.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: April 30, 1982.

Lee M. Thomas,
Associate Director, State and Local Programs and Support.

[FR Doc. 82-13536 Filed 5-19-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 65

Identification and Mapping of Special Flood Hazard Areas; Changes in Special Flood Hazard Areas Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Associate Director, State and Local Programs and Support, after consultation with the Chief Executive Officer of each community listed, finds that modification of the proposed Special Flood Hazard Areas (SFHAs) for those communities is appropriate as a result of requests for changes in the interim and/or Proposed Rule.

DATES: These modified SFHAs are in effect as of the dates listed in the fifth column of the attached list and amend the Flood Insurance Rate Map(s) (FIRM) in effect for each listed community prior to this date.

ADDRESSES: The modified SFHA determinations for each community are available for inspection at the office of the Chief Executive Officer of the community, listed in the fourth column of the table.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief,

Engineering Branch, Office of State and Local Programs and Support, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0230.

SUPPLEMENTARY INFORMATION: The Associate Director, State and Local Programs and Support has published a notification of the SFHAs in prominent local newspapers for the communities listed below. Ninety (90) days have elapsed since that publication, and the Associate Director has received appeals from the communities requesting changes in the proposed SFHA determinations.

The numerous changes made in the SFHAs on the Flood Insurance Rate Map for each community make it administratively infeasible to publish in this notice all of the SFHA changes contained on the maps. However, this notice includes the address of the Chief Executive Officer where the modified SFHA determinations are available for inspection.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, (Pub. L.

90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65.)

For rating purposes, the revised community number is listed and must be used for all new policies and renewals.

These SFHAs are basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These SFHAs together with the flood plain management measures required by § 60.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities.

These modified SFHAs shall be used to calculate the appropriate flood insurance premium rates for new buildings and their contents.

§ 65.4 [Amended]

List of Subjects in 44 CFR Part 65

Flood insurance, Flood plains.

The changes in the SFHAs listed below are in accordance with 44 CFR 65.4.

State and county	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modified flood insurance rate map	New community No.
Pennsylvania: Cameron	Borough of Driftwood (FEMA Docket No. 6225).	<i>Cameron County Echo</i> , Apr. 29 and May 6, 1981.	Honorable Bert Morton, Mayor, Borough of Driftwood, Driftwood, PA 15832.	May 8, 1981	420245C.
Virginia: Arlington	Unincorporated areas (FEMA Docket No. 6225).	<i>North Virginia Sun</i> , May 29, June 5, July 3, and July 10, 1981.	W. V. Ford, County Manager, Arlington County, 1400 North Courthouse Road, Room 204, Arlington, VA 22201.	May 8, 1981 (66-B).	515520A.
Wisconsin: Dane	Village of Black Earth (FEMA Docket No. 6225).	<i>News Sickle Arrow</i> , May 28 and June 4, 1981.	John H. Curtis, Village President, Village of Black Earth, 1210 Mills Street, Black Earth, WI 53515.	May 8, 1981 (66-B).	550079B.
Manitowoc	Village of Mishicot (FEMA Docket No. 6225).	<i>Herald Times Reporter</i> , May 8 and May 15, 1981.	George Krause, Sr., Village President, Village of Mishicot, P.O. Box 122, Mishicot, WI 54228.	May 15, 1981	555566C.
California: Alameda	City of Union City (FEMA Docket No. 6225).	<i>The Daily Review</i> , June 15 and June 16, 1981.	The Honorable Tom Kitayama, Mayor, City of Union City, 34008 Alvarado-Niles Road, Union City, CA 94587.	May 19, 1981 (66-B).	060014A.
Delaware: Sussex	City of Seaford (FEMA Docket No. 6225).	<i>The Seaford Leader</i> , June 10 and June 17, 1981.	Woodrow W. Crosby, City Manager, City of Seaford, City Hall, 302 East King Street, Seaford, DE 19973.	June 2, 1981 (66B).	100048B.
Pennsylvania: Crawford	Borough of Conneaut Lake (FEMA Docket No. 6225).	<i>Meadville Tribune</i> , May 29 and June 5, 1981.	James E. Hubbard, President of Council, Borough of Conneaut Lake, State Street, Conneaut Lake, PA 16316.	June 5, 1981	422386C.
Wisconsin: Wood	City of Wisconsin Rapids (FEMA Docket No. 6225).	<i>The Daily Tribune</i> , June 12 and June 19, 1981.	Honorable James Kubisiak, Mayor, City of Wisconsin Rapids, 444 West Grand Avenue, Wisconsin Rapids, WI 54494.	June 19, 1981	555587D.
Milwaukee	City of Glendale (FEMA Docket No. 6225).	<i>The Glendale Herald</i> , June 11 and June 18, 1981.	Honorable Norbert J. Hynek, Mayor, City of Glendale, 5909 North Milwaukee River Parkway, Glendale, WI 53209.	June 19, 1981	550275C.

State and county	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modified flood insurance rate map	New community No.
Oklahoma: Tulsa and Osage	City of Tulsa (FEMA Docket No. 6225).	<i>Tulsa Daily World and Tulsa Tribune</i> , June 24 and June 25, 1981.	The Honorable James M. Inhofe, Mayor, City of Tulsa, 200 Civic Center, Tulsa, OK 74103.	June 15, 1981 (66-B).	405381D.
Minnesota: Anoka	City of Blain (FEMA Docket No. 6225).	<i>Blain-Spring Lake Park Life</i> , June 12 and June 19, 1981.	Lesley M. Johnson, City Manager, City of Blain, 9150 Central Avenue, Blain MN, 55434.	June 19, 1981	270007C.
Missouri: Platte	Unincorporated area (FEMA Docket No. 6625).	<i>The Landmark</i> , July 10 and July 17, 1981.	The Honorable John M. Reineke, Presiding Judge, Platte County Courthouse, 324 Main Street, Platte City, MO 64079.	June 25, 1981 (66-B).	290475A.
Pennsylvania: Luzerne	Borough of Forty Fort (FEMA Docket No. 6225).	<i>Times Leader</i> , June 26 and July 3, 1981.	Honorable Paul Detweiler, Mayor, Borough of Forty Fort, 1271 Wyoming Avenue, Municipal Building, Forty Fort, PA 18704.	July 3, 1981	420607C.
Luzerne	Borough of Wyoming (FEMA Docket No. 6225).	<i>Times Leader</i> , June 26 and July 3, 1981.	Honorable George Metcalfe, Mayor, Borough of Wyoming, 277 Wyoming Avenue, Wyoming, PA 18644.	July 3, 1981	420633D.
California: San Luis Obispo	City of San Luis Obispo (FEMA Docket No. 6225).	<i>San Luis Obispo County Telegram-Tribune</i> , July 8 and July 9, 1981.	The Honorable Melanie Billig, Mayor, City of San Luis Obispo, P.O. Box 321, San Luis Obispo, CA 93406.	July 7, 1981	060310C.
Nebraska: Burt	City of Tekamah (FEMA Docket No. 6199).	<i>The Burt County Plaindealer</i> , Aug. 13 and Aug. 20, 1981.	The Honorable Carl L. Schroeder, Mayor, City of Tekamah, P.O. Box 143, Tekamah, NE 68061.	Aug. 11, 1981	310024D.
Washington: Kitsap	City of Poulsbo (FEMA Docket No. 6199).	<i>Kitsap County Herald</i> , Aug. 12 and Aug. 19, 1981.	The Honorable Clyde C. Caldart, Mayor, City of Poulsbo, 127 Jensen Way, P.O. Box 98, Poulsbo, WA 98370.	Aug. 11, 1981	530241C.
Florida: Hillsborough	Unincorporated area (FEMA Docket No. 6225).	<i>The Tampa Tribune</i> , Aug. 27 and Sept. 3, 1981.	The Honorable Jan Platt, Chairperson, County Comm., Hillsborough Co., P.O. Box 1110, Tampa, FL 33601.	Aug. 13, 1981 (66-B).	120112B.
Kansas: Leavenworth	Unincorporated area (FEMA Docket No. 6199).	<i>The Leavenworth Times</i> , Aug. 17 and Aug. 18, 1981.	Mr. Louis A. Klemp, Chairman, Board of Commissioners, Leavenworth County Courthouse, Fourth and Walnut, Leavenworth, KS 66048.	Aug. 18, 1981	200186C.
Missouri: Clay and Jackson	City of Independence (FEMA Docket No. 6199).	<i>The Examiner</i> , Aug. 18 and Aug. 19, 1981.	The Honorable E. Lee Comer, Jr., Mayor, City of Independence, 103 North Main, Independence, MO 64050.	Aug. 18, 1981	290172B.
Florida: St. Lucie	City of Fort Pierce (FEMA Docket No. 6199).	<i>News Tribune</i> , Sept. 11 and Sept. 18, 1981.	The Honorable Buell Brown, Mayor, City of Fort Pierce, City Hall, P.O. Box 1480, Fort Pierce, FL 33450.	Aug. 19, 1981	120286C.
Iowa: Muscatine	City of Muscatine (FEMA Docket No. 6199).	<i>The Muscatine Journal</i> , Aug. 24 and Aug. 25, 1981.	The Honorable Evelyn L. Schauland, Mayor, City of Muscatine, Third and Sycamore, Muscatine, IA 52761.	Aug. 25, 1981	190213B.
Washington: King	City of Issaquah (FEMA Docket No. 6199).	<i>The Issaquah Press</i> , Sept. 9 and Sept. 16, 1981.	The Honorable H. G. Harrington, Mayor, City of Issaquah, P.O. Box M, Issaquah, WA 98027.	Aug. 25, 1981 (66-B).	530079B.
Pennsylvania: Bradford	Borough of Monroe (FEMA Docket No. 6199).	<i>The Daily Review</i> , Aug. 21 and Aug. 28, 1981.	Honorable Paul F. Thrasher, Mayor, Borough of Monroe, R.D. 1, Monroeton, PA 18832.	Aug. 28, 1981	420170B.
Texas: Tarrant	City of North Richland Hills (FEMA Docket No. 6199).	<i>Mid-Cities Daily News</i> , Sept. 21 and Sept. 22, 1981.	The Honorable Dick Faram, Mayor, City of North Richland, P.O. Box 18609, North Richland Hills, TX 76118.	Sept. 8, 1981 (66-B).	480607B.
Illinois: Rock Island	City of Rock Island (FEMA Docket No. 6225).	<i>Rock Island Argus</i> , Feb. 6 and Feb. 13, 1981.	Honorable James R. Davis, Mayor, City of Rock Island, 1528 Third Avenue, Rock Island, IL 61201.	Sept. 18, 1981	175171C.
Connecticut: Hartford	City of Hartford (FEMA Docket No. 6199).	<i>The Hartford Courant</i> , Oct. 2 and Oct. 9, 1981.	The Honorable George A. Athanson, Mayor, City of Hartford, City Hall, Hartford, CT 06103.	Sept. 24, 1981	095080A.
North Carolina: Cumberland	City of Fayetteville (FEMA Docket No. 6225).	<i>Fayetteville Observer</i> , Feb. 6, and Feb. 13, 1981.	The Honorable Beth Finch, Mayor, City of Fayetteville, City Hall, 234 Green Street, Fayetteville, NC 28301.	Sept. 25, 1981	370077C.
Connecticut: Hartford	Town of West Hartford (FEMA Docket No. 6199).	<i>The Hartford Courant</i> , Sept. 18 and Sept. 25, 1981.	The Honorable Ann Streeter, Mayor, Town of West Hartford, 28 S. Main Street, West Hartford, CT 06107.	Sept. 25, 1981	095082B.
Illinois: McLean	City of LeRoy (FEMA Docket No. 6199).	<i>LeRoy Journal</i> , Sept. 24 and Oct. 1, 1981.	Honorable Jack Moss, City of LeRoy, 111 East Center Street, LeRoy, IL 61752.	Oct. 2, 1981	170499C.
Michigan: Newaygo	City of Fremont (FEMA Docket No. 6199).	<i>Fremont Times Indicator</i> , Sept. 23, and Sept. 30, 1981.	Henry Van Dop, City Manager, City of Fremont, 101 East Main Street, Fremont, MI 49412.	Oct. 2, 1981	260167C.
Minnesota: Stearns	City of Cold Spring (FEMA Docket No. 6199).	<i>Cold Spring Record</i> , Sept. 24, and Oct. 1, 1981.	James Trueman, Clerk-Treasurer, City of Cold Spring, 27 Red River South, Cold Spring, MN 56320.	Oct. 2, 1981	270444C.
Oklahoma: Rogers	Unincorporated area (FEMA Docket No. 6199).	<i>The Claremore Progress</i> , Oct. 14, and Oct. 15, 1981.	Mr. Elmer L. McGuire, Chairman, Rogers County Commissioners, County Courthouse, 219 South Missouri, Claremore, OK 74017.	Oct. 5, 1981 (66-B).	405379A.
California: Santa Clara	City of Gilroy (FEMA Docket No. 6199).	<i>The Gilroy-Morgan Hill Dispatch</i> , Oct. 14, and Oct. 16, 1981.	The Honorable Norman B. Goodrich, Mayor, City of Gilroy, 7390 Rosanna Street, P.O. Box 66, Gilroy, CA 95020.	Oct. 6, 1981	060340C.
Florida: Hillsborough	Hillsborough County (FEMA Docket No. 6199).	<i>Tampa Tribune</i> , Nov. 6 and Nov. 13, 1981.	The Honorable Jan Platt, Chairperson, County Commissioners, Hillsborough County, P.O. Box 1110, Tampa, FL 33601.	Oct. 8, 1981	120112B.
Virginia: Independent City	City of Radford (FEMA Docket No. 6199).	<i>Radford News Journal</i> , Oct. 2 and Oct. 9, 1981.	Robert Ashbury, City Manager, City of Radford, 619 Second Street, Radford, VA 24141.	Oct. 9, 1981	510127B.
Wisconsin: St. Croix	Village of North Hudson (FEMA Docket No. 6199).	<i>Hudson Star Observer</i> , Oct. 1 and Oct. 8, 1981.	Honorable Wally Gregerson, Village of North Hudson, 309 7th Street North, North Hudson, WI 54176.	Oct. 9, 1981	555568C.
Waukesha	Village of Menomonee Falls (FEMA Docket No. 6199).	<i>Menomonee Falls News</i> , Oct. 1 and Oct. 8, 1981.	Frederick Gottlieb, Village Manager, West 156 North 8480 Pilgrim Road, Menomonee Falls, WI 53051.	Oct. 9, 1981	550483C.
California: Yolo	City of Woodland (FEMA Docket No. 6199).	<i>The Daily Democrat</i> , Oct. 14 and Oct. 15, 1981.	The Honorable Harry O. Walker, Mayor, City of Woodland, 300 First Street, Woodland, CA 95695.	Oct. 13, 1981	060426B.
Colorado: Morgan	City of Brush (FEMA Docket No. 6199).	<i>The Brush News-Tribune</i> , Oct. 14 and Oct. 21, 1981.	The Honorable Raymond M. Paulsen, Mayor, City of Brush, 600 Edison Street, P.O. Box 363, Brush, CO 80723.	Oct. 13, 1981	080130C.
Iowa: Iowa	City of Marengo (FEMA Docket No. 6199).	<i>The Pioneer-Republican</i> , Oct. 15 and Oct. 22, 1981.	The Honorable Otto Maas, Mayor, City of Marengo, 153 East Main Street, Marengo, IA 52301.	Oct. 13, 1981	190157C.
Kansas: Harvey	City of Burton (FEMA Docket No. 6199).	<i>Burton Graphic</i> , Oct. 15 and Oct. 22, 1981.	The Honorable Brian Boston, Mayor, City of Burton, P.O. Box 146, Burton, KS 67020.	Oct. 13, 1981	200130C.

State and county	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modified flood insurance rate map	New community No.
Johnson	City of Gardner (FEMA Docket No. 6199).	<i>The Gardner News</i> , Oct. 14 and Oct. 21, 1981.	The Honorable Phyllis Thomen, Mayor, City of Gardner, 112 South Elm Street, Gardner, KS 66030.	Oct. 13, 1981	200164C.
Texas: Bandera	City of Bandera (FEMA Docket No. 6199).	<i>The Bandera Bulletin</i> , Oct. 15 and Oct. 22, 1981.	The Honorable W. D. Smith, Mayor, City of Bandera, P.O. Box 896, Bandera, TX 78003.	Oct. 13, 1981	480021C.
New Hampshire: Merrimack	Town of Bow (FEMA Docket No. 6199).	<i>The Concord Monitor</i> , Oct. 9 and Oct. 16, 1981.	Ms. Sarah Swenson, Chairman, Board of Selectmen, Town of Bow, 10 Grandview Road, Bow, NH 03301.	Oct. 16, 1981	330107.
Pennsylvania: Chester	Township of Thornbury (FEMA Docket No. 6199).	<i>West Chester Daily Local Times</i> , Oct. 9 and Oct. 16, 1981.	Harold Smithson, Secretary, Thornbury Township Supervisors, P.O. Box 11, Westtown, PA 19395.	Oct. 16, 1981	420290C.
North Carolina: Carteret	Carteret County (FEMA Docket No. 6106).	<i>Carteret County News Times</i> , Nov. 19 and Nov. 26, 1981.	The Honorable Mary Sue Noe, County Commissioner, Carteret County Courthouse, P.O. Drawer 630, Beaufort, NC 28516.	Oct. 19, 1981	370043A.
Alabama: Autauga and Elmore	City of Prattville (FEMA Docket No. 6199).	<i>The Prattville Progress</i> , Oct. 15 and Oct. 22, 1981.	The Honorable C. M. Gray, Mayor, City of Prattville, P.O. Box 277, Prattville, AL 36067.	Oct. 23, 1981	010002C.
Connecticut: Hartford	Town of East Hartford (FEMA Docket No. 6199).	<i>The East Hartford Gazette</i> , Oct. 14 and Oct. 21, 1981.	The Honorable George A. Dagon, Mayor, Town of East Hartford, 740 East Main Street, East Hartford, CT 06108.	Oct. 23, 1981	090026D.
Florida: Orange	City of Apopka (FEMA Docket No. 6199).	<i>The Apopka Chief</i> , Oct. 16 and Oct. 23, 1981.	Mr. Thomas E. Richeson, P. E., P.O. Drawer 1229, Apopka, FL 32703.	Oct. 23, 1981	120180C.
Palm Beach	Village of Palm Springs (FEMA Docket No. 6199).	<i>The Evening Times</i> , Oct. 16 and Oct. 23, 1981.	Mr. Arthur F. Rudford, Director of Public Works, Village of Palm Springs, 226 Cypress Lane, Palm Springs, FL 33461.	Oct. 23, 1981	120223C.
Osceola	City of St. Cloud (FEMA Docket No. 6199).	<i>The St. Cloud Times</i> , Oct. 15 and Oct. 22, 1981.	The Honorable Sarah Lewis, Mayor, City of St. Cloud, City Hall, 1300 9th Street, St. Cloud, FL 32769.	Oct. 23, 1981	120191C.
Illinois: Jersey	City of Grafton (FEMA Docket No. 6199).	<i>Democrat News</i> , Oct. 13 and Oct. 20, 1981.	Honorable Gerald Naim, City of Grafton, Box 251, City Hall, Grafton, IL 62037.	Oct. 23, 1981	170314C.
North Carolina: Cleveland	City of Shelby (FEMA Docket No. 6199).	<i>The Shelby Daily Star</i> , Oct. 16 and Oct. 23, 1981.	The Honorable George W. Clay, Jr., Mayor, City of Shelby, City Hall, P.O. Box 207, Shelby, NC 28150.	Oct. 23, 1981	420245C.
Rhode Island: Bristol	Town of Barrington (FEMA Docket No. 6199).	<i>Barrington Times</i> , Nov. 13 and Nov. 20, 1981.	Mr. Robert J. Schiedler, Town Manager, Town Hall, 283 County Road, Barrington, RI 02808.	Oct. 29, 1981	445382C. (66B).
Minnesota: Roseau	City of Roseau (FEMA Docket No. 6199).	<i>Roseau Times Region</i> , Oct. 20 and Oct. 27, 1981.	Honorable Milton Ameson, City of Roseau, Box 307, Roseau, MN 56751.	Oct. 30, 1981	270414C.
Pennsylvania: Berks	Township of Cumru (FEMA Docket No. 6199).	<i>Reading Eagle Times</i> , Oct. 23 and Oct. 30, 1981.	Edgar I. Zerbe, President-Commissioner, Township of Cumru, R.D. 3005—Welsh Road, Mohnton, PA 19540.	Oct. 30, 1981	420130B.
Illinois: Cook and Lake	Village of Buffalo Grove (FEMA Docket No. 6164).	<i>Buffalo Grove Herald</i> , Nov. 3 and Nov. 10, 1981.	William R. Balling, Village Manager, Village of Buffalo Grove, 50 Raupp Boulevard, Buffalo Grove, IL 60090.	June 11, 1982	170068C.
McHenry	City of Woodstock (FEMA Docket No. 6166).	<i>The Sentinel</i> , Oct. 30 and Nov. 6, 1981.	Dennis Anderson, City Manager, City of Woodstock, P.O. Box 180, 121 West Calhoun Street, Woodstock, IL 60098.	June 11, 1982	170488C.
Indiana: Lake	Town of St. John (FEMA Docket No. 6165).	<i>The Times</i> , Oct. 30 and Nov. 6, 1981.	Hal Foltz, President of Town Board, Town of St. John, 11033 West 93rd Avenue, St. John, IN 46373.	June 11, 1982	180141C.
Minnesota: Hennepin	City of Wayzata (FEMA Docket No. 6167).	<i>Lake Minnetonka Sun</i> , Nov. 4 and Nov. 11, 1981.	Dave Bangasser, City Manager, City of Wayzata, 600 Rice Street, Wayzata, MN 55391.	June 11, 1982	270186C.
Pennsylvania: Dauphin	Township of Lower Swatara (FEMA Docket No. 6168).	<i>The Patriot</i> , Oct. 30 and Nov. 6, 1981.	Frank R. Siffrin, Township Manager, Township of Lower Swatara, 1499 Spring Garden Drive, Middletown, PA 17057.	June 11, 1982	420385C.
Lancaster	Township of West Lampeter (FEMA Docket No. 6169).	<i>Intelligencer Journal</i> , Nov. 2 and Nov. 9, 1981.	Donald T. Horn, Chairman of Township Supervisors, Township of West Lampeter, 1711 Lampeter Road, Lampeter, PA 17137.	June 11, 1982	420566C.
Virginia: Rockbridge	Town of Glasgow (FEMA Docket No. 6170).	<i>The News Gazette</i> , Nov. 4 and Nov. 11, 1981.	R.E. Hostetter, Town Manager, Town of Glasgow, P.O. Box 326, Glasgow, VA 24555.	June 11, 1982	515526B.
California: Riverside	City of Indio (FEMA Docket No. 6179).	<i>Daily News</i> , Nov. 5 and Nov. 6, 1981.	Honorable Roger Harlow, Mayor, City of Indio, 100 Civic Center Mall, P.O. Drawer 1788, Indio, CA 92202.	June 15, 1982	060255C.
Oregon: Lincoln	City of Newport (FEMA Docket No. 6184).	<i>The News-Times</i> , Nov. 4 and Nov. 11, 1981.	Honorable John Breneman, Mayor, City of Newport, 810 S.W. Alder St., Newport, OR 97365.	June 15, 1982	410131C.
Minnesota: Blue Earth	Unincorporated area (FEMA Docket No. 6187).	<i>Mankato Free Press</i> , Nov. 6 and Nov. 13, 1981.	David W. Stevens, Chairman, Blue Earth County Board, County Courthouse, Mankato, MN 56001.	June 18, 1982	275231C.
Kansas: Barton	City of Ellinwood (FEMA Docket No. 6175).	<i>Ellinwood Leader</i> , Nov. 12 and Nov. 19, 1981.	Honorable Jerome E. Huslig, Mayor, City of Ellinwood, P.O. Box 278, Ellinwood, KS 67526.	June 22, 1982	200018C.
North Dakota: Cass	City of Riverside (FEMA Docket No. 6176).	<i>West Fargo Pioneer</i> , Nov. 11 and Nov. 18, 1981.	Honorable David L. Anderson, Mayor, City of Riverside, 108 West Main Ave., Riverside, ND 58078.	June 22, 1982	380316B.
Minnesota: Wright	City of Saint Michael (FEMA Docket No. 6193).	<i>Crow River News</i> , Nov. 18 and Nov. 25, 1981.	Honorable Elmer Eichelberg, Mayor, City of Saint Michael, Saint Michael, MN 55376.	July 2, 1982	270543C.
Ramsey	City of Saint Paul (FEMA Docket No. 6087).	<i>St. Paul Dispatch and Pioneer Press</i> , Nov. 20 and Nov. 27, 1981.	Honorable George Latimer, Mayor, City of St. Paul, 347 City Hall, St. Paul, MN 55102.	July 2, 1982	275246C.
Hennepin	City of Shorewood (FEMA Docket No. 6194).	<i>Lake Minnetonka Sun</i> , Nov. 18 and Nov. 25, 1981.	Douglas Uhrhammer, City Administrator, City of Shorewood, 5755 Country Club Road, Shorewood, MN 55331.	July 2, 1982	270185C.
Hennepin	City of Woodland (FEMA Docket No. 6202).	<i>Lake Minnetonka Sun</i> , Nov. 18 and Nov. 25, 1981.	Mrs. Louise Patridge, City Clerk, City of Woodland, P.O. Box 656, Wayzata, MN 55391.	July 2, 1982	270189C.
Pennsylvania: Allegheny	Township of Harrison (FEMA Docket No. 6203).	<i>Valley News Dispatch</i> , Nov. 26 and Nov. 27, 1981.	George Conroy, President of Supervisors, Township of Harrison, Municipal Drive, Natrona Heights, PA 15065.	July 2, 1982	420041C.
Louisiana: East Baton Rouge Parish	Unincorporated areas (FEMA Docket No. 6178).	<i>Advocate</i> , Nov. 17 and Nov. 18, 1981.	Honorable Pat Screen, President, East Baton Rouge Parish Council, Room 208, Municipal Building, Baton Rouge, LA 70821.	July 6, 1982	220058B.
Arcadia Parish	City of Crowley (FEMA Docket No. 6233).	<i>The Crowley Post-Signal</i> , Dec. 22 and Dec. 23, 1981.	Honorable Robert L. Istre, Mayor, City of Crowley, P.O. Box 1463, Crowley, LA 70526.	July 27, 1982	225195C.

State and county	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modified flood insurance rate map	New community No.
Illinois:					
DuPage.....	City of Wood Dale (FEMA Docket No. 6210).	<i>The Voice</i> , Dec. 16 and Dec. 23, 1981.	Honorable Jerry Greer, Mayor, City of Wood Dale, 404 North Wood Dale Road, Wood Dale, IL 60191.	July 30, 1982.....	170224C.
Stephenson.....	Unincorporated area (FEMA Docket No. 6211).	<i>Freeport Journal Standard</i> , Dec. 11 and Dec. 18, 1981.	Don Pentecost, Chairman, Stephenson County Board, 15 North Galena Street, Freeport, IL 61032.	July 30, 1982.....	170639B.
Pennsylvania: Carbon.....	Township of East Penn (FEMA Docket No. 6212).	<i>The Times News</i> , Dec. 11 and Dec. 18, 1981.	Donald M. Ginder, Chairman, East Penn Township Board of Supervisors, R.D. 6 Box 34A, Lehigh, PA 18235.	July 30, 1982.....	421013B.
Louisiana: East Baton Rouge Parish.....	City of Zachary (FEMA Docket No. 6192).	<i>Advocate</i> , Dec. 30 and Dec. 31, 1981.	Honorable John Womack, Mayor, City of Zachary, P.O. Box 310, Zachary, LA 70791.	Aug. 3, 1982.....	220061B.
South Dakota: Custer.....	City of Custer (FEMA Docket No. 5799).	<i>Custer County Chronicle</i> , Dec. 31, 1981, and Jan. 7, 1982.	Honorable Annella Wright, Mayor, City of Custer, 622 Crook Street, Custer, SD 57730.	Aug. 10, 1982.....	460019C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; E.O. 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: May 5, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

(FR Doc. 82-13536 Filed 5-19-82; 8:45 am)

BILLING CODE 6718-03-M

44 CFR Part 65

[Docket No. FEMA 6307]

List of Communities With Special Hazard Areas Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This rule identifies communities with areas of special flood, mudslide, or erosion hazards as authorized by the National Flood Insurance Program. The identification of such areas is to provide guidance to communities on the reduction of

property losses by the adoption of appropriate flood plain management or other measures to minimize damage. It will enable communities to guide future construction, where practicable, away from locations which are threatened by flood or other hazards.

EFFECTIVE DATES: The effective date shown at the top right of the table or June 21, 1982, whichever is later.

FOR FURTHER INFORMATION CONTACT: Richard E. Sanderson, Chief, Natural Hazards Division, (202) 287-0270, 500 C Street Southwest, Donohoe Building—Room 505, Washington, DC 20472.

SUPPLEMENTARY INFORMATION: The Flood Disaster Protection Act of 1973 (Pub. L. 93-234) requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special flood hazards that is located within any community participating in the National Flood Insurance Program.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply in respect to conventional mortgage loans by federally regulated, insured, supervised, or approved lending institutions.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by

floodworks or other flood control methods. The six months period shall be considered to begin 30 days after the date of publication in the **Federal Register** or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the **Federal Register** or the effective date of the Flood Hazard Boundary Map, whichever is later.

This identification is made in accordance with Part 64 of Title 44 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001-4128).

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information or regarding the completed stages of engineering tasks in delineating the special flood hazard areas of the specified community. This rule imposes no new requirements or regulations on participating communities.

PART 65—IDENTIFICATION AND MAPPING OF SPECIAL HAZARD AREAS

List of Subjects in 44 CFR Part 65

Flood insurance, Flood plains.

Section 65.3 is amended by adding in alphabetical sequence a new entry to the table:

§ 65.3 List of communities with special hazard areas (FHBMs in effect).

EFFECTIVE DATE: MAY 7, 1982

State	Identification No.	Community name and county name	Panels printed (No. and suffix)	Inland and coastal	Hazard	60.3 code	Program status	Status of		Previous map dates		Revision code(s)	Rescission	Floodways panels printed	Location of map repository
								FHBM	FIRM	FHBM	FIRM				
1	2	3	4	5	6	7	8	9	9	10	10	11	12	13	14
MI	260012	City of Au Gres, Arenac County.	0001B		I	FL	B	1	3	1	6/7/74, 3/5/76.	N/A	9, 10, 16.	N/A	Edward Tarnosky, Mayor, P.O. Box 121, 124 W. Huron Road, Au Gres, MI 48703, 517-867-8811.
PA	421875	Township of Shenango, Mercer County.	0001B, 0002B		I	FL	B	1	3	1	5/17/74, 5/14/76.	N/A	9, 10, 16.	N/A	K. Scott Campbell, Chairman, TWP Board of Supervisors, RD 2, Box 536, West Middlesex, PA 16150, 412-528-9571.

EFFECTIVE DATE: MAY 14, 1982

VA	510250	Westmoreland County	0001A-0006A		I	FL	B	1	3	1	7/18/75	N/A	9, 10, 16.	N/A	Thomas V. Finan, Chief Exe., Westmoreland Co. Courthouse, P.O. Box 467, Montross, VA 22520, 804-493-8911.
WI	550576	Langlade County	0001A-0010A		I	FL	B	1	2	1	N/A	N/A	N/A	N/A	James Mabry, Zoning Adm., Courthouse, 800 Clermont Street, Antigo, WI 54409, 715-623-2417.
NY	360985	Village of Attica, Wyoming County.	0001B		I	FL	B	1	3	1	5/24/74, 6/11/76.	N/A	10	N/A	Honorable Dale Stocum, Mayor, 9 Water Street, Attica, New York 14011.
NC	370432	Town of River Bend, Craven County.	0005A		I	FL	B	1	2	1	N/A	N/A	N/A	N/A	Mayor Daniel T. DeBow, 50 Shoreline Drive, New Bern, NC 28560.

EFFECTIVE DATE: MAY 21, 1982

NY	361099	Town of Cuba, Allegany County.	0005A, 0010A, 0015A, 0020A		I	FL	B	1	3	1	1/24/75	N/A	9, 10	N/A	Ernst Wadsworth, Town Supervisor, 5 Bull Street, Cuba, New York 14727.
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EFFECTIVE DATE: MAY 25, 1982

OR	410018	City of Lake Oswego, Clackamas, Multnomah, and Washington Counties.	0001B-0004B		I	FL	B	1	3	1	6/14/74, 6/11/76.	N/A	8, 9, 10.	N/A	Mayor C. Herald Campbell, P.O. Box 368, Lake Oswego, OR, 503-636-3601.
OK	400496	Pottawatomie County, unincorporated areas.	0001A-0011A		I	FL	B	4	2	1	N/A	N/A	N/A	N/A	Lloyd Rogers, Chairman, County Commissioners, Pottawatomie Co. Courthouse, Shawnee, OK 74801, 405-273-4305.

EFFECTIVE DATE: MAY 28, 1982

MI	260201	City of Marysville, St. Clair County.	0001B		I	FL	B	1	3	1	3/15/74, 4/30/76.	N/A	9, 10, 16.	N/A	Mayor Joseph S. Johns, 1111 Delaware Ave., Marysville, MI 48040, 313-364-6613.
OH	390294	Jefferson County, unincorporated areas.	0001B-0007B		I	FL	B	1	3	1	6/10/77	N/A	9, 10, 16.	N/A	Edward Swiger, Chairman, County Commissioners, 3rd & Market Street, Steubenville, OH 43952, 614-283-4111.
VA	510236	Brunswick County, unincorporated areas.	0001A-0008A		I	FL	B	1	3	1	4/11/75	N/A	9, 10, 16.	N/A	Mike Whitby, County Administrator, P.O. Box 399, Lawrenceville, VA 23868, 804-848-3107.

Community Map Actions

(Codes: Where no entry is necessary use N/A)

Column Code:

- Two letter state designator
- FIA Community 6-digit identity number
- Community name, County(ies) name
- Four digit number and suffix of each FIRM or FHBM panel printed
- INL/coast:

- I=Inland
C=Coastal
6. Hazard:
FL=Flood
MS=Mudslide
ER=Erosion
NF=Non Flood Prone
MF=Minimally Flood Prone
7. 60.3 Code:
A=Special Hazard not defined, no elevation data (No FHBM)
B=Special Hazard Designated, no elevation data (FHBM)

- C=FIRM, No Floodway or Coastal High Hazard
D=FIRM, Regulatory Floodway Designated¹
E=FIRM, Coastal High Hazard¹

8. Program status:
1=Emergency
2=Regular
3=Not participating, no map
4=Not participating, with map
5=Withdraw

¹ Dual entry is available.

- 6=Suspended
9. FHB status:
- 1=Never mapped
 - 2=Original
 - 3=Revised
 - 4=Rescinded
 - 5=Superseded by FIRM
9. FIRM status:
- 1=Never mapped
 - 2=Original
 - 3=Revised
 - 4=Rescinded
 - 5=All zone C—no published FIRM
 - 6=All zone A and C—no elevations determined
10. Dates of all previous maps
11. Revision codes:
1. 1916 BFE (Base Flood Elevation) Decrease
 2. 1916 BFE Increase
 3. 1916 SFHA (Special Flood Hazard Area) Change
 4. Change of Zone Designation; revised FIRM
 5. Curvilinear
 6. 1914 Incorporation
 7. 1914 Discorporation
 8. 1914 Annexation
 9. SFHA Reduction
 10. Non-1916 SFHA Increase Without Numbered Zones
 11. Non-1916 SHFA Increase with Numbered Zones
 12. Drafting Correction; Printing Errors
 13. Suffix Change ONLY
 14. Change to Uniform Zone Designations (7/1/74)
 15. Revisions Withdrawn
 16. Refunds Possible
 17. Letter of Map Amendment (1916)
 18. Letter of Map Amendment (1916 without Federal Register publication)
 19. Federal Register Omission
 20. Attention. A previous map (or maps) has been rescinded or withdrawn for this community. This may have affected the sequence of suffixes.
 21. Miscellaneous
13. List of Numbered Floodway Panels Printed
14. Address of Community Map Repository (44 CFR section 64.3)

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; E.O. 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: April 30, 1982.

Lee M. Thomas,
Associate Director, State and Local Programs
and Support.

[FR Doc. 82-13537 Filed 5-19-82; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Parts 50, 54, 56, 58, and 61

[CGD 77-147]

Marine Engineering Regulations for Merchant Vessels; Acceptance of ASME U or UM Symbol Stamp for Pressure Vessels, Fittings, and Accumulators

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: These regulations require classes I, II, and III pressure vessels not containing hazardous materials to be inspected and stamped in accordance with the American Society of Mechanical Engineers' Boiler and Pressure Vessel Code. They replace previous requirements for plan approval and shop inspection by the Coast Guard. The regulations also require (1) certification of pressure vessel design drawings and analyses by a registered professional engineer, (2) Coast Guard inspection of completed pressure vessels prior to installation and (3) compliance with certain requirements that are optional under the ASME Code. Several pressure vessel manufacturers have requested a changeover to ASME inspection and stamping because of frequent delays involved in having plan approval and shop inspections performed by the Coast Guard. ASME inspectors are more readily available to perform shop inspections in a timely manner, and the use of registered professional engineers to certify plans will minimize the time needed for Coast Guard pre-installation inspections.

EFFECTIVE DATE: These regulations become effective on June 21, 1982.

ADDRESS: A copy of the final evaluation for these regulations may be obtained from Commandant (G-CMC/TP24), (CGD 77-147), U.S. Coast Guard, Washington, D.C. 20593.

FOR FURTHER INFORMATION CONTACT: Mr. Howard Hime, c/o Commandant (G-MMT-TP12), U.S. Coast Guard, Washington, D.C. 20593 (202) 426-2160.

SUPPLEMENTARY INFORMATION: On December 29, 1980, the Coast Guard published a proposal in the Federal Register (45 FR 85488) concerning these regulations. Interested persons were given an opportunity to submit written comments and 12 comments were received.

Drafting Information

The principal persons involved in drafting these rules are Mr. Howard

Hime, Office of Merchant Marine Safety, and Mr. William R. Register, Office of the Chief Counsel.

OMB Control Number

Information collection requirements contained in this regulation (§§ 54.01-(d)(1), -5(e), and 54.10-25(c)) have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and have been assigned OMB control number 2130-0181.

Discussion of Comments

General

1. Two commenters suggested that certification by the American Bureau of Shipping (ABS) be included as an alternative to ASME inspection and stamping of pressure vessels or that ABS Surveyors be allowed to perform inspections to determine compliance with ASME requirements. Several meetings have been held with ABS to discuss these possibilities. However, at present, ABS does not have procedures that are equivalent to ASME procedures for shop inspection and stamping or for examining, certifying, and monitoring the performance of inspectors. When equivalent procedures are developed, ABS will be considered for inclusion as an alternative to ASME inspection and stamping.

2. One commenter suggested that, in lieu of requiring ASME inspection and stamping, it should be made an option to Coast Guard shop inspection and stamping. Almost all U.S. pressure vessel manufacturers, (more than 99%), and many foreign manufacturers are authorized to apply the ASME stamp, and, as a result, Coast Guard inspectors would not often be used. Also, there will be few Coast Guard inspectors available to perform this function. However, specific requests to apply Coast Guard requirements in lieu of ASME requirements could be authorized by an Officer in Charge, Marine Inspection (OCMI) under other regulations in Title 46, CFR, that allow equivalencies. The Title 46 regulations that allow equivalencies include §§ 30.15-1, 70.15-1, 90.15-1, 108.105, 175.15-1, and 188.15-1.

3. One commenter suggested that the proposed regulations be extended to include cargo tanks regulated under 46 CFR Part 151. This suggestion has not been adopted. Part 151 applies to unmanned tank barges used for the transportation of liquids or liquefied gases which have dangerous characteristics or flammability or combustibility characteristics. As stated

in the preamble to the notice of proposed rule making, continued Coast Guard plan review and shop inspection is needed for these cargo tanks since ASME inspection and stamping would not verify compliance with the additional safety requirements imposed by 46 CFR Part 54 for pressure vessels containing materials regulated under Part 151.

4. One commenter recommended that Mobile Offshore Drilling Units (MODU's) be exempt from the requirements in §§ 54.01-5(d)(2), 54.01-5(d)(6), and 54.01-5(d)(7). The commenter stated that the petroleum industry is generally unfamiliar with these requirements, which poses a potential compliance problem. This recommendation has not been adopted. The requirements referenced by the commenter represent general safety measures that in large part the petroleum industry is already following voluntarily. The cost to comply with the requirements is expected to be minimal.

Specific Regulations

5. *Section 54.01-5(c)(2)*. One commenter stated that the term "dangerous substances" in the proposed rules was not clear and recommended that the term "hazardous materials" be used instead. This recommendation has been adopted. The term "hazardous materials" is defined in 46 CFR 150.115 (45 FR 70264) and includes flammable and combustible liquids as defined in 46 CFR Part 30, materials regulated under 46 CFR Subchapter O, and liquids, liquified gases, and compressed gases as listed in 49 CFR 172.101. These are the same substances as those described in old § 54.01-5 as "dangerous articles, substances, or combustible liquids."

6.a. *Section 54.01-5(d) and -5(e)*. One commenter questioned the need to have a registered professional engineer certify that pressure vessel design drawings comply with the ASME Code. According to the commenter, an authorized inspector under the ASME Code certifies that the pressure vessel complies with the Code. The authorized inspector is only required to assure (1) that the pressure vessel is fabricated, tested, and inspected in accordance with the ASME Code and the design drawings and (2) that, if certain options are selected such as full radiography, they meet the requirements of the Code. The authorized inspector is not required to review the design drawings to determine compliance with ASME design requirements. Likewise, the inspector is not required to check for compliance with the regulations in § 54.01-5(d) (i.e., the inspector is not responsible for judging the adequacy of

the pressure vessel for its intended service nor for assuring the proper selection of the various options permitted by the ASME Code, such as, full radiography of welds in lieu of spot radiography or no radiography). Accordingly, as a check for compliance with the design requirements of the ASME Code and the requirements of section 54.01-5(d), the plans are required to be certified by a registered professional engineer.

6.b. One commenter believed that certification of design drawings by a registered professional engineer is an increase in the existing requirements for pressure vessels used on MODU's. This certification is an existing requirement, as stated in 46 CFR 58.60-11.

7. *Section 54.10-3(c)*. One commenter questioned the need for a pressure vessel to be examined by a Coast Guard marine inspector prior to installation. The commenter stated that this represents a duplication of effort since the pressure vessel is also inspected by an authorized inspector under the ASME Code. As explained in paragraph 6 above, the authorized inspector is not required to verify compliance with the requirements in § 54.01-5(d). The purpose of the Coast Guard inspection is to check for general compliance with the regulations, with emphasis on verification that the pressure vessel was in fact constructed in accordance with the requirements in § 54.01-5(d). The inspection also includes a visual check on whether the pressure vessel was damaged during transportation.

8. *Section 54.10-25*. One commenter questioned the need to provide both the Coast Guard data report forms as well as manufacturer's report forms. The commenter misinterpreted the proposal. Only one set of forms is required. If a pressure vessel is shop inspected by the Coast Guard, the data report forms provided by the Coast Guard are required. If a pressure vessel is inspected by an authorized inspector under the ASME Code, manufacturer's data report forms are required in lieu of Coast Guard forms.

9. *Section 58.30-25(a)*. One commenter requested that accumulators be exempt from ASME inspection and stamping. The commenter argued that the lead time to make design modifications in accordance with ASME requirements would take 12 to 18 months. As stated in paragraph 11 of the preamble to the NPRM, § 58.30-25(a) provides ASME inspection and stamping as an option to existing requirements for accumulators. Coast Guard plan approval and inspection has been retained as an option for accumulators.

10. *Section 61.10-5*. One commenter asked why § 61.10-5 requires periodic examination of Coast Guard stamped pressure vessels but not of an ASME stamped pressure vessel. The commenter misinterpreted the proposal. ASME stamped pressure vessels are also stamped with the Coast Guard symbol in accordance with § 54.10-3(c), and § 61.10-5 requires that they likewise be examined periodically.

Economic Evaluation and Record Keeping

These regulations are considered to be nonsignificant and, accordingly, a final evaluation has been prepared and placed in the public docket as required by the Department of Transportation's Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5). These regulations have also been evaluated under the terms of Executive Order 12291 and have been determined not to be major rules.

As stated in the final evaluation, these rules will result in an approximate annual dollar savings of \$0.59 million for manufacturers and \$0.23 million for the Coast Guard. The expected benefit of these rules, in addition to the \$0.82 million annual saving, will be the substantial amount of time saved by manufacturers in obtaining required inspections of pressure vessels. Also, Coast Guard inspectors will acquire more time in which to perform required inspections of other types of marine equipment that cannot effectively be inspected by independent parties.

The NPRM was published before January 1, 1981, and, accordingly, the rule making is exempt from the Regulatory Flexibility Act (Pub. L. 96-354; 94 Stat. 1164; 5 U.S.C. 601-612). However, the requirements of the Act were taken into consideration and these regulations are not expected to have a significant economic impact on a substantial number of small entities which, for purposes of this rule making, consists of small pressure vessel manufacturers. As explained in the final evaluation, most manufacturers, both large and small, already hold the ASME stamp needed to comply with these regulations. However, for the few manufacturers who are not currently authorized to apply the ASME stamp, the cost to obtain one (\$5,000 for small manufacturers up to approximately \$20,000 for large manufacturers) is marginal compared to overall business costs. Also, some small manufacturers who, unlike larger concerns, do not have a registered professional engineer (PE) in their organization will incur some

increased costs to hire a registered PE to review and certify design drawings in accordance with these regulations. However, the total time and dollar savings for manufacturers, both large and small, associated with these regulations should be less than the time and money involved to obtain Coast Guard plan approval and shop inspection under the old requirements.

An analysis of the record keeping requirements in these regulations was conducted under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520). The analysis shows that 5252 documents were required to be submitted annually to the Coast Guard under the old requirements. The requirements as revised in this rule making reduce the annual reporting burden from 5252 documents down to 1312 documents.

List of Subjects 46 CFR Parts 50, 54, 56, 61

Vessels, Marine safety. 46 CFR Part 58.

Vessels, Oil and gas exploration, Marine safety.

In consideration of the foregoing, the Marine Engineering Regulations in Subchapter F of Title 46, Code of Federal Regulations, are amended as follows:

PART 50—GENERAL PROVISIONS

1. The authority citation for Part 50 is revised to read as follows:

Authority: Section 5, 49 Stat. 1384 (46 U.S.C. 369); R.S. 4405, as amended (46 U.S.C. 375); section 3, 70 Stat. 152, as amended (46 U.S.C. 390b); section 5, Pub. L. 95-474, 92 Stat. 1480 (46 U.S.C. 391a); section 1, Pub. L. 85-739, 72 Stat. 833, as amended (46 U.S.C. 404); Pub. L. 93-370, 88 Stat. 423 (46 U.S.C. 411); R.S. 4462, as amended (46 U.S.C. 416); section 1, Pub. L. 86-244, 73 Stat. 475 (46 U.S.C. 481); section 17, 54 Stat. 166 (46 U.S.C. 526p); section 2, Pub. L. 96-453, 94 Stat. 207 (46 U.S.C. 1295F(c)(2)); section 4, 67 Stat. 462 (43 U.S.C. 1333(d)); section 3, 68 Stat. 675 (50 U.S.C. 198); section 6, 80 Stat. 938 (49 U.S.C. 1655(b)); E.O. 12234, 45 FR 58801; 49 CFR 1.46.

§ 50.05-1(e) [Amended]

2. In § 50.05-1(e) remove the words "§ 54.01-16 and".

3. Revise § 50.15-5(c) to read as follows:

§ 50.15-5 ASME boiler and pressure vessel code.

(c) Except as required in § 54.01-5 of this chapter, manufacturers constructing boilers, pressure vessels, and safety valves for installation on vessels subject to the regulations in this subchapter

need not hold the applicable ASME Code symbol stamps.

PART 54—PRESSURE VESSELS

4. The authority citation for Part 54 is revised to read as follows:

Authority: section 5, 49 Stat. 1384 (46 U.S.C. 369); R.S. 4405, as amended (46 U.S.C. 375); section 3, 70 Stat. 152, as amended (46 U.S.C. 390b); section 5, Pub. L. 95-474, 92 Stat. 1480 (46 U.S.C. 391a); section 1, Pub. L. 85-739, 72 Stat. 833, as amended (46 U.S.C. 404); Pub. L. 93-370, 88 Stat. 423 (46 U.S.C. 411); R.S. 4462, as amended (46 U.S.C. 416); section 1, Pub. L. 86-244, 73 Stat. 475 (46 U.S.C. 481); section 17, 54 Stat. 166 (46 U.S.C. 526p); section 2, Pub. L. 96-453, 94 Stat. 207 (46 U.S.C. 1295F(c)(2)); section 4, 67 Stat. 462 (43 U.S.C. 1333(d)); section 3, 68 Stat. 675 (50 U.S.C. 198); section 6, 80 Stat. 938 (49 U.S.C. 1655(b)); E.O. 12234, 45 FR 58801; 49 CFR 1.46.

§ 54.01-1 [Amended]

5. In § 54.01-1, remove the last sentence of paragraph (a) and remove paragraph (a)(1).

6. Revise § 54.01-5 to read as follows:

§ 54.01-5 Scope (modifies U-1 and U-2).

(a) This part contains requirements for pressure vessels. Table 54.01-5(a) gives a breakdown by parts in this subchapter of the regulations governing various types of pressure vessels, boilers, and thermal units.

(b) Pressure vessels are divided into Classes I, I-L (low temperature), II, II-L (low temperature), and III. Table 54.01-5(b) describes these classes and sets out additional requirements for welded pressure vessels.

(c) The requirements for pressure vessels by class are as follows:

(1) Class I-L and II-L pressure vessels must meet the applicable requirements in this part.

(2) Pressure vessels containing hazardous materials as defined in § 150.115 of this chapter must meet the requirements of this part or, as applicable, the requirements in 49 CFR Parts 171-177 or Part 64 of this chapter.

(3) Except as provided in paragraph (c)(4) of this section, Classes I, II, and III pressure vessels not containing hazardous materials must be designed and constructed in accordance with the requirements in Section VIII, division 1, of the ASME Code and must be stamped with the ASME "U" symbol. These pressure vessels must also comply with the requirements that are listed or prescribed in paragraphs (d) through (g) of this section. Compliance with other provisions in this part is not required.

(4) Classes II and III pressure vessels that have a net internal volume of less than 0.14 cubic meters (5 cubic feet) and do not contain hazardous materials must

be stamped with either the ASME "U" or "UM" symbol. Compliance with other provisions in this part is not required.

(d) Pressure vessels described in paragraph (c)(3) of this section must—

(1) Have detailed plans that include the information required by § 54.01-18 (approved by the Office of Management and Budget under OMB control number 2130-0181);

(2) Meet § 54.01-35 and § 54.25-3;

(3) Have pressure relief devices required by subpart 54.15;

(4) Meet the applicable requirements in §§ 54.10-3, 54.10-20, and 54.10-25 for inspection, reports, and stamping;

(5) If welded, meet the post weld heat treatment and minimum joint and radiography requirement in Table 54.01-5(b);

(6) If a heat exchanger, meet § 54.01-2; and

(7) If a steam generating pressure vessel, meet § 54.01-10.

(e) The plans required by paragraph (d)(1) of this section must be certified by a registered professional engineer to meet the design requirements in paragraph (d) of this section and in section VIII, division 1, of the ASME Code. The certification must appear on all drawings and analyses. The plans must be made available to the Coast Guard prior to the inspection required by § 54.10-3(c). (Approved by the Office of Management and Budget under OMB control number 2130-0181.)

(f) If a pressure vessel has more than one independent chamber and the chambers have different classifications, each chamber must, as a minimum, meet the requirements for its classification. If a single classification for the entire pressure vessel is preferred, the classification selected must be one that is required to meet all of the regulations applicable to the classification that is not selected. For example, if one chamber is Class I and one chamber is Class II-L, the only single classification that can be selected is Class I-L.

(g) The design pressure for each interface between two chambers in a multichambered pressure vessel must be—

(1) The maximum allowable working pressure (gauge) in the chamber with the higher pressure; or

(2) If one chamber is a vacuum chamber, the maximum allowable working pressure (absolute) in the other chamber minus the least operating pressure (absolute) in the vacuum chamber.

7. Revise the heading of Table 54.01-5(b) to read as follows:

Table 54.01-5(b)—Pressure Vessel Classification

(Special heat exchanger requirements excluded, see § 54.01-2)

8. In Table 54.01-5(b) add a reference to footnotes 6 and 7 after the phrase "Minimum joint requirements¹". As revised, the phrase reads "Minimum joint requirements^{1, 6, 7}".

9. In Table 54.01-5(b) add a reference to footnote 7 after the phrases "Minimum radiography requirements, section VIII, ASME Code" and "Post Weld heat treatment required⁵". As revised, the phrases read "Minimum radiography requirements, Section VIII, ASME Code⁷" and "Post weld heat treatment required^{5, 7}".

10. In Table 54.01-5(b) add a reference to footnote 4 after the word "yes" the first time it appears under the column entitled "Shop Inspection Required", and the first time it appears under the column entitled "Plan Approval Required", to denote that certain Class I pressure vessels are exempt from plan approval and shop inspection.

11. Add new footnotes 6 and 7 to Table 54.01-5(b) to read as follows:

⁶ A butt-welded joint with one plate edge offset (see Figure UW-13.1(k) and table UW-12 of the ASME Code) may only be used in the fabrication of Class II and III pressure vessels.

⁷ These requirements apply only to welded pressure vessels.

12. In Table 54.01-5(b) replace the term "dangerous substances" everywhere it appears with the term "hazardous materials."

13. Revise the heading and paragraph (a)(4) in § 54.01-15 to read as follows:

§ 54.01-15 Exemptions from shop inspection and plan approval (replaces U-1(c) (6) through (9)).

(a) * * *

(4) Class I, II, and III pressure vessels that meet the requirements of § 54.01-5(c)(3), and -5(c)(4).

§ 54.01-16 [Removed]

14. Remove § 54.01-16.

15. Remove the second sentence in § 54.10-3(b).

16. Add a new § 54.10-3(c) to read as follows:

§ 54.10-3 Marine inspectors (replaces UG-90 and UG-91, and modifies UG-92 through UG-103).

* * * * *

(c) Pressure vessels described in § 54.01-5(c)(3), except pressure vessels in systems regulated under § 58.60 of this chapter, must be visually examined by a marine inspector prior to installation. The marine inspector also

reviews the associated plans and manufacturers' data reports. If, upon inspection, the pressure vessel complies with the applicable requirements in § 54.01-5, the marine inspector stamps the pressure vessel with the Coast Guard Symbol.

§ 54.10-17 [Removed]

17. Remove § 54.10-17.

18. Revise § 54.10-20(a) to read as follows:

§ 54.10-20 Marking and stamping.

(a) *Pressure vessels (replaces UG-118, except paragraph (k), and UG-118).* Pressure vessels that are required by § 54.10-3 to be stamped with the Coast Guard Symbol must also be stamped with the following information:

* * * * *

(4) Maximum allowable working pressure — kPa (— psig) at — C (— F).

(5) Class.

(6) Minimum service temperature allowed, if below -18 C (0 F)

(7) Water capacity in liters (U.S. gallons), if a cargo carrying pressure vessel.

* * * * *

§ 54.10-20 [Amended]

19. In § 54.10-20(c)(1), insert the words "Coast Guard shop" after the word "requiring".

20. Add a new § 54.10-25(c) to read as follows:

§ 54.10-25 Manufacturers' data report forms (modifies UG-120).

* * * * *

(c) If a pressure vessel is required to be inspected in accordance with § 54.10-3(c), the manufacturer's data reports required by UG-120 must be made available to the Coast Guard inspector for review prior to inspection of the pressure vessel. (Approved by the Office of Management and Budget under OMB control number 2130-0181).

21. In § 54.20-2, revise the heading and paragraphs (a) and (b) as follows:

§ 54.20.2 Fabrication for hazardous materials (replaces (UW-2(a))).

(a) Pressure vessels containing hazardous materials as defined in section 150.115 of this chapter must be of the class and construction required by Subchapters D, I, O, or, when not specified, of a class determined by the Commandant.

(b) Class III pressure vessels must not be used for the storage or stowage of hazardous materials unless there is specific authorization in Subchapters D, I, or O.

§ 54.20-3 [Reserved]

22. Remove and reserve § 54.20-3(c).

§ 54.20-10 [Removed]

23. Remove § 54.20-10.

PART 56—PIPING SYSTEMS AND APPURTENANCES

24. The authority citation of Part 56 is revised to read as follows:

Authority: Section 5, 49 Stat. 1384 (46 U.S.C. 369); R.S. 4405, as amended (46 U.S.C. 375); Section 3.70 Stat. 152, as amended (46 U.S.C. 390b); Section 5, Pub. L. 95-474, 92 Stat. 1480 (46 U.S.C. 391a); Section 1, Pub. L. 85-739, 72 Stat. 833, as amended (46 U.S.C. 404); Pub. L. 93-370, 88 Stat. 423 (46 U.S.C. 411); R.S. 4462, as amended (46 U.S.C. 416); Section 1, Pub. L. 86-244, 73 Stat. 475 (46 U.S.C. 481); Section 17, 54 Stat. 166 (46 U.S.C. 526p); Section 2 Pub. L. 96-453, 94 Stat. 207 (46 U.S.C. 1295f [c](2)); Section 4, 67 Stat. 462 (43 U.S.C. 1333(d)); Section 3, 68 Stat. 675 (50 U.S.C. 198); Section 6, 80 Stat. 938 (49 U.S.C. 1655(b)); E.O. 12234, 45 FR 58801; 49 CFR 1.46.

25. In § 56.15-1, revise paragraphs (e) and (f) as follows:

§ 56.15-1 Fittings.

* * * * *

(e) The following requirements apply to nonstandard fluid conditioner fittings which do not contain hazardous materials:

(1) The nonstandard fluid conditioner fittings listed below must meet the applicable requirements in § 54.01-5 (c)(3), (c)(4), and (d) of this chapter or the remaining provisions in Part 54, except that Coast Guard shop inspection is not required:

(i) Nonstandard fluid conditioner fittings that have a net internal volume greater than 0.04 cubic meters (1.5 cubic feet) and that are rated for temperatures or pressures exceeding those specified as minimums for Class I piping systems.

(ii) Nonstandard fluid conditioner fittings that have an internal diameter exceeding 15 centimeters (6 inches) and that are rated for temperatures or pressures exceeding those specified as minimums for Class I piping systems.

* * * * *

(f) Nonstandard fluid conditioner fittings rated above 103 kPa (15 psig), that contain hazardous materials as defined in § 150.115 of this chapter must meet the applicable requirements of Part 54 this chapter, except Subpart 54.10.

PART 58—MAIN AND AUXILIARY MACHINERY AND RELATED SYSTEMS

26. The authority citation for Part 58 is revised to read as follows:

Authority: Section 5, 49 Stat. 1384 (46 U.S.C. 369); R.S. 4405, as amended (46 U.S.C. 375); Section 3, 70 Stat. 152, as amended (46 U.S.C.

390b); Section 5, Pub. L. 95-474, 92 Stat. 1480 (46 U.S.C. 391a); Section 1, Pub. L. 85-739, 72 Stat. 833, as amended (46 U.S.C. 404); Pub. L. 93-370, 88 Stat. 423 (46 U.S.C. 411); R.S. 4462, as amended (46 U.S.C. 416); Section 1, Pub. L. 86-244, 73 Stat. 475 (46 U.S.C. 481); Section 17, 54 Stat. 166 (46 U.S.C. 526p); Section 2, Pub. L. 96-453, 94 Stat. 207 (46 U.S.C. 1295F(c)(2)); Section 4, 67 Stat. 462 (43 U.S.C. 1333(d)); Section 3, 68 Stat. 675 (50 U.S.C. 198); Section 6, 80 Stat. 938 (49 U.S.C. 1655(b)); E.O. 12234, 45 FR 58801; 49 CFR 1.46.

27. Revise the second sentence in § 58.30-25(a) to read as follows:

§ 58.30-25 Accumulator.

(a) * * * Accumulators must meet the applicable requirements in § 54.01-5 (c)(3), (c)(4), and (d) of this chapter or the remaining requirements in Part 54.

§ 58.60-3 [Amended]

28. In § 58.60-3, delete the citation "§ 54.01-16" and insert in its place the words "the applicable requirements in § 54.01-5 of this chapter".

PART 61—PERIODIC TESTS AND INSPECTIONS

29. The authority citation for Part 61 is revised to read as follows:

Authority: Section 5, 49 Stat. 1384 (46 U.S.C. 369); R.S. 4405, as amended (46 U.S.C. 375); Section 3, 70 Stat. 152, as amended (46 U.S.C. 390b); Section 5, Pub. L. 95-474, 92 Stat. 1480 (46 U.S.C. 391a); Section 1, Pub. L. 85-739, 72 Stat. 833, as amended (46 U.S.C. 404); Pub. L. 93-370, 88 Stat. 423 (46 U.S.C. 411); R.S. 4462, as amended (46 U.S.C. 416); Section 1, Pub. L. 86-244, 73 Stat. 475 (46 U.S.C. 481); Section 17, 54 Stat. 166 (46 U.S.C. 526p); Section 2, Pub. L. 96-453, 94 Stat. 207 (46 U.S.C. 1295F(c)(2)); Section 4, 67 Stat. 462 (43 U.S.C. 1333(d)); Section 3, 68 Stat. 675 (50 U.S.C. 198); Section 6, 80 Stat. 938 (49 U.S.C. 1655(b)); E.O. 12234, 45 FR 58801; 49 CFR 1.46.

§ 61.10-5 [Amended]

30. In the first sentence of § 61.10-5(b), delete the words "Pressure vessels that required initial shop inspection and pressure vessels that are accepted under § 54.01-16" and insert in their place the words "Pressure vessels that are stamped with the Coast Guard symbol and pressure vessels in systems regulated under Subpart 58.60 of this subchapter".

31. Revise § 61.10-5(e)(6) to read as follows:

(e) * * *
(6) Pressure vessels not stamped with the Coast Guard Symbol.

32. In the first sentence of § 61.10-5(h)(1), remove the words "have been pneumatically tested during shop inspection" and insert in their place the

words "that were pneumatically tested before being stamped with the Coast Guard Symbol".

Dated: May 14, 1982.

Clyde T. Lusk, Jr.,
Rear Admiral, Coast Guard, Chief, Office of Merchant Marine Safety.

[FR Doc. 82-13615 Filed 5-19-82; 9:45 am]

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Maritime Administration

46 CFR Part 310

Admission and Training of Midshipmen at the United States Merchant Marine Academy

AGENCY: Maritime Administration, DOT.

ACTION: Final rule.

SUMMARY: The Maritime Administration (MarAd) is amending its regulations relative to merchant marine training at the United States Merchant Marine Academy (Academy) to conform the regulations to the provisions of the recently effective Maritime Education and Training Act of 1980 (Pub. L. 96-453), including the requirement for a service obligation contract for students enrolled after April 1, 1982.

EFFECTIVE DATE: The regulations will be effective on May 19, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Erich J. Bernhardt, Academies Program Officer, Maritime Administration, Office of Maritime Labor and Training, Room 7306, Department of Transportation, 400 7th Street, SW., Washington, D.C. 20590. Phone—(202) 426-5766.

SUPPLEMENTARY INFORMATION: The Maritime Education and Training Act of 1980 (Pub. L. 96-453) contains a number of key provisions which need to be incorporated in the Academy regulations. The following text sums up the substantive changes MarAd is making to conform the regulations to the requirements of the statute.

Section 310.53 Nominations and vacancies.—This revision states that nominating officials may only nominate candidates who are residents of their States. It also reflects the fact that up to 40 additional appointments may be made by MarAd annually.

Section 310.54 General requirements for eligibility.—Twenty-five (25) years of age is established as the new maximum age for admission to the Academy. Also, a candidate who is conditionally appointed to the Academy pending completion of a Navy security and suitability investigation will be subject

to separation if the investigation establishes failure to meet the requirements for appointment as Midshipman, U.S. Naval Reserve.

Section 310.55 Scholastic requirements.—A new provision would give proper consideration to a candidate's post high school scholastic record.

Section 310.57 Application and selection of midshipmen.—A new provision would clarify that no special preference will be granted in the selection process to individuals with family members who are alumni of the Academy.

Section 310.58 Service obligation for students enrolled after April 1, 1982.—The amendments provide that, as a condition of admission, students enrolled after April 1, 1982, shall sign a service obligation contract. The obligations are: Complete the course of instruction at the Academy; fulfill the requirement for a license as a merchant marine officer in the U.S. merchant marine; maintain a license as such an officer for six (6) years following graduation; apply for, and accept if tendered, a commission in the U.S. Naval Reserve (including Merchant Marine Reserve); and serve the foreign and domestic commerce and the national defense of the United States for at least five (5) years following graduation, either as a merchant marine officer, or in a uniformed service of the United States. Failure to meet these obligations could lead to induction in the armed forces. There is a waiver provision that may apply in cases of undue hardship and impossibility of performing the service obligation due to accident, illness or other justifiable reason. Also, in exceptional cases, MarAd may grant a deferment of all or part of the service commitment for a period not to exceed two years to students enrolling in the marine or maritime-related graduate course of study approved by the Administrator. Deferments would only be granted to students with superior academic and conduct records while at the Academy.

We are defining a satisfactory year of service at sea for a merchant marine officer which is based on the approximate period of service for the industry as a whole.

Section 310.66 Foreign students.—The revision reflects the fact that under Pub. L. 96-453 the President may designate twelve (12) individuals from nations located in the Western Hemisphere, other than the United States, to receive instruction at the Academy. This section would also provide for the enrollment of an

additional thirty (30) qualified individuals from nations other than the United States. Unlike the foregoing twelve (12) appointments from the Western Hemisphere, these thirty (30) appointments would not be scholarships, and the foreign nations are required to reimburse MarAd for the costs. The thirty (30) appointments would require approval by both the Secretary of State and MarAd. This section is further revised to provide that the amount of reimbursement shall be the incremental cost of providing instruction to such foreign students, rather than the fully allocated cost. This method of reimbursement protects the interests of the U.S. Government in that it covers the total out-of-pocket costs incurred in providing instruction to these students, makes the use of training opportunity more attractive to friendly foreign nations, and advances the purpose intended by Congress.

The Maritime Administrator has made a determination, pursuant to the provisions of Executive Order 12291, that this is not a major rule that requires the preparation of a regulatory impact analysis. Pursuant to DOT Order 2100.5, this is a significant regulation for which a regulatory evaluation has been prepared and will be placed in the rulemaking docket and made available upon request. Please send request in writing to Mr. Erich J. Bernhardt, Academies Program Officer, Maritime Administration, Office of Maritime Labor and Training, Room 7302, Department of Transportation, 400 7th Street, SW., Washington, D.C. 20590. Phone—(202) 426-5766.

Good cause exists for publication of the revision of this regulation as a final rule, without opportunity for public comment and effective immediately, pursuant to provisions of 5 U.S.C. 553. The Congressional nomination process for the Academy has been completed. It is imperative that the final regulations be in place to reflect the requirements of Pub. L. 96-453 so that every Member of Congress and the other nominating officials may adequately inform his or her constituents of the new eligibility requirements and the service obligation. Further, it is essential to the Academy to provide guidance to nominees and make selections and notify principal candidates by May 1, 1982, the customary date for notification. Accordingly, notice and public procedure thereon are impracticable. Since there is no requirement for a notice of proposed rulemaking, the Maritime Administrator certifies that the regulation is not subject to the Regulatory Flexibility Act of 1980 (Pub.

L. 96-354). MarAd will develop specific reporting requirements for Academy graduates in light of the Paperwork Reduction Act of 1980 (Pub. L. 96-511), which will be subject to approval by the Office of Management and Budget.

List of Subjects in 46 CFR Part 310

Grant programs—Education, Schools, Seamen.

Accordingly, Subpart C is revised to read as follows:

PART 310—MERCHANT MARINE TRAINING

Subpart C—Admission and Training of Midshipmen at the United States Merchant Marine Academy

- | | |
|--------|--|
| Sec. | |
| 310.50 | Purpose. |
| 310.51 | Definitions. |
| 310.52 | General. |
| 310.53 | Nominations and vacancies. |
| 310.54 | General requirements for eligibility. |
| 310.55 | Scholastic requirements. |
| 310.56 | Physical requirements. |
| 310.57 | Application and selection of midshipmen. |
| 310.58 | Service obligation for students enrolled after April 1, 1982. |
| 310.59 | Courses of instruction. |
| 310.60 | Training on subsidized vessels. |
| 310.61 | Training on other vessels and by other facilities or agencies. |
| 310.62 | Allowances and expenses; required deposit. |
| 310.63 | Uniforms and textbooks. |
| 310.64 | Privileges. |
| 310.65 | Graduation. |
| 310.66 | Foreign students. |
| 310.67 | Academy regulations. |

Authority: Secs. 204(b) and 1301-1308, Merchant Marine Act, 1936, as amended (46 U.S.C. 1114 and 1295-1295g); Maritime Education and Training Act of 1980 (Pub. L. 96-453); Reorganization Plans No. 21 of 1950 (64 Stat. 1273) and No. 7 of 1961 (75 Stat. 842), as amended by Pub. L. 91-469 (84 Stat. 1036); Pub. L. 97-31 (95 Stat. 151); 49 CFR 1.66 (46 FR 47458, September 28, 1981).

Subpart C—Admission and Training of Midshipmen at the United States Merchant Marine Academy

§ 310.50 Purpose.

The regulations in this subpart govern the nomination, admission and appointment of midshipmen to the United States Merchant Marine Academy.

§ 310.51 Definitions.

(a) "Academy" means the United States Merchant Marine Academy.

(b) "Act" means the Maritime Education and Training Act of 1980, Pub. L. 96-453, 94 Stat. 1997, 46 U.S.C. 1295-1295g.

(c) "Administration" means the Maritime Administration, Department of Transportation.

(d) "Administrator" means the Administrator of the Maritime Administration.

(e) "Citizen" means an individual who, by birth or naturalization, owes national allegiance to the United States, but the term excludes United States nationals.

(f) "Foreign student" means an individual who owes national allegiance to a country or political entity other than the United States, and the term includes United States nationals.

(g) "NOAA" means the National Oceanic and Atmospheric Administration.

(h) "USNR" means the United States Naval Reserve.

§ 310.52 General.

(a) Midshipmen are appointed to the Academy for training to prepare them to become officers in the U.S. merchant marine. The Academy, located at Kings Point, New York, is maintained by the Government as a part of the Administration. After successful completion of the 4-year course of study, a graduate of the Academy shall receive a Bachelor of Science degree and a merchant marine license as either a third officer or third assistant engineer (or both licenses upon completion of a special curriculum and passing the respective license examinations) issued by the U.S. Coast Guard. If qualified, a graduate may be commissioned as an officer in a reserve component of an armed force of the United States.

(b) Midshipmen entering the Academy after April 1, 1982, are required by the Act to sign an agreement committing them to service obligations following the date of graduation. The terms of the service obligation contract are set forth in § 310.58 of this subpart.

§ 310.53 Nominations and vacancies.

(a) *Nominating officials.* (1) Each Senator and Member of the House of Representatives (including delegates from Guam, the Virgin Islands and the District of Columbia and the Resident Commissioner from Puerto Rico), the Panama Canal Commission, the Governor of the Northern Mariana Islands, and the Governor of American Samoa (until a delegate to the House of Representatives from American Samoa takes office) may nominate ten (1) candidates to compete for admission to the Academy.

(2) In accordance with the Act (46 U.S.C. 1295b (b)(1)), nominating officials may only nominate candidates who are

residents of the State or other geographic area which the particular nominating official represents, as follows:

The candidate must be a resident of—	To be nominated by—
The State.....	A Member of the U.S. Senate representing that State.
The State.....	A Member of the U.S. House of Representatives whose Congressional District is located in that State.
Guam.....	The Delegate to the U.S. House of Representatives representing Guam.
Virgin Islands.....	The Delegate to the U.S. House of Representatives representing the Virgin Islands.
District of Columbia.....	The Delegate to the U.S. House of Representatives representing the District of Columbia.
Commonwealth of Puerto Rico.....	The Resident Commissioner to the United States from Puerto Rico.
American Samoa.....	The Governor of American Samoa (until a Delegate to the U.S. House of Representatives representing American Samoa takes office).
Any area or installation located in the Republic of Panama which is made available to the United States pursuant to the (i) the Panama Canal Treaty of 1977, (ii) the agreements relating to and implementing the Treaty signed September 7, 1977, and (iii) the Agreement between the United States of America and the Republic of Panama Concerning Air Traffic Control and Related Services, concluded January 8, 1978; <i>Provided</i> , That no residence in the Republic of Panama is required if nomination is due to his or her parent's employment in the Panama Canal or in the Republic of Panama by the United States Government or the Panama Canal Commission.	Panama Canal Commission.
Northern Mariana Islands.....	Governor of the Northern Mariana Islands.
Trust Territory of the Pacific Islands.....	Secretary of the Interior.

to the representation in Congress from that State.

(2) In each entering class, two vacancies shall be allocated each year for individuals nominated by the Panama Canal Commission; one vacancy each to nominees from Puerto Rico, Guam, Virgin Islands, Northern Marian Islands and American Samoa; and four vacancies to nominees from the District of Columbia.

(3) Not to exceed four (4) individuals at any one time may be admitted from the Trust Territory of the Pacific Islands and twelve (12) individuals from nations located in the Western Hemisphere, other than the United States, but not more than two (2) individuals from any one of such nations shall receive training at the same time.

(4) The Administrator may permit, upon approval of the Secretary of State, not more than thirty (30) individuals at one time from nations other than the United States to receive instruction at the Academy, subject to the condition that the foreign nations reimburse the Administrator for the cost of such training.

(5) The distribution of each entering class by State is:

Alabama.....	5
Alaska.....	2
Arizona.....	3
Arkansas.....	3
California.....	24
Colorado.....	4
Connecticut.....	5
Delaware.....	2
Florida.....	10
Georgia.....	7
Hawaii.....	2
Idaho.....	2
Illinois.....	15
Indiana.....	7
Iowa.....	5
Kansas.....	4
Kentucky.....	5
Louisiana.....	6
Maine.....	2
Maryland.....	6
Massachusetts.....	8
Michigan.....	12
Minnesota.....	6
Mississippi.....	4
Missouri.....	7
Montana.....	2
Nebraska.....	3
Nevada.....	2
New Hampshire.....	2
New Jersey.....	10
New Mexico.....	2
New York.....	22
North Carolina.....	7
North Dakota.....	2
Ohio.....	15
Oklahoma.....	5
Oregon.....	3
Pennsylvania.....	15
Rhode Island.....	2
South Carolina.....	5
South Dakota.....	2
Tennessee.....	6
Texas.....	15
Utah.....	2
Vermont.....	2
Virginia.....	7
Washington.....	5
West Virginia.....	3
Wisconsin.....	6
Wyoming.....	2

(6) The distribution of each entering class otherwise provided under the Act is:

Northern Mariana Islands.....	1.
Puerto Rico.....	1.
District of Columbia.....	4.
Republic of Panama.....	2.
Guam.....	1.
American Samoa.....	1.
Virgin Islands.....	1.
Administrator.....	Not to exceed 40.

(7) The distribution of students provided for under the Act without reference to entering class is:

	Not to exceed at any one time
Trust Territory of the Pacific Islands.....	4
Western Hemisphere nations (other than U.S.).....	12
Foreign nations.....	30

(c) *Request for nomination.* A person interested in admission to the Academy who feels that he or she meets the requirements in this subpart should request a nomination from his or her Senator or Representative or other appropriate nominating official listed in paragraph (a) of this section.

(d) *Date for nominations.* The nominating official will send a nomination form for each nominee to the Admissions Office, U.S. Merchant Marine Academy, Kings Point, Long Island, New York 11024, normally between August 1 and December 31 of the school year preceding that in which admission to the Academy is desired.

(e) *Appointments.* (1) The Administrator shall make appointments to fill the vacancies allocated pursuant to paragraph (b) of this section from among qualified nominees, in order of merit, from each geographical area. The order of merit shall be established according to the procedure as specified in § 310.57(b). Such appointments first shall be made from among residents of each geographic area listed in paragraph (b) of this section. Thereafter, appointments shall be made from among residents of each geographic area listed in paragraph (b) of this section. Thereafter appointments shall be made from among remaining qualified nominees (national alternates) in order of merit regardless of the area of residence.

(2) The Administrator may appoint, without competition, not more than forty (40) qualified citizens who possess qualities deemed to be of special value to the Academy. In making these appointments, the Administrator shall give special consideration to achieving a

(3) Individuals must be residents of the Trust Territory of the Pacific Islands to qualify for designation by the Secretary of the Interior.

(4) Nominating officials may select nominees, and the Secretary of the Interior may select designees, by any method they wish, including a screening examination.

(5) Candidates from nations other than the United States must be nominated by an official of their home government and have their applications approved by the United States Government official specified in § 310.66(a), or (c) or (d).

(b) *Vacancies.* (1) The number of vacancies in each entering class allocated to each State is in proportion

national demographic balance and to recognizing individuals with qualities deemed to be of special value to the Academy.

§ 310.54 General requirements for eligibility.

(a) *Citizenship.* All candidates shall be citizens of the United States except: (1) Nominees from foreign nations; (2) nominees from the Northern Mariana Islands; (3) designees from the Trust Territory of the Pacific Islands; and (4) nominees from American Samoa, who may be American nationals. No person who is not a citizen shall be entitled to any office or position in the U.S. merchant marine by reason of his or her graduation from the Academy, until such person shall have become a citizen.

(b) *Age.* A candidate shall be not less than seventeen (17) years of age and shall not have passed his or her twenty-fifth (25th) birthday on June 15 of the year of admission to the Academy.

(c) *Character.* A candidate shall be of good moral character. The Administrator may reject the nomination of any candidate whose character is incompatible with the Academy's standards. No person who has been dismissed or compelled to resign from the U.S. Military Academy, the U.S. Naval Academy, the U.S. Air Force Academy, the U.S. Coast Guard Academy, the Academy or a State maritime academy for improper conduct shall be eligible for appointment as a midshipman at the Academy. No person whose last discharge from any armed force was under conditions other than honorable or who has had a merchant mariner document removed or suspended for cause shall be eligible for appointment as a midshipman.

(d) *Investigation.* To be eligible for appointment, all candidates who are United States citizens shall be completely loyal to the United States and shall meet the requirements established by the Department of the Navy for designation as Midshipman, USNR (including the Merchant Marine Reserve, USNR). Candidates for appointment shall execute documents approved by the Administrator for the purpose of a security and suitability investigation. Appointment as a Midshipman, USNR (including the Merchant Marine Reserve, USNR) shall be a condition of admission for an individual who is a citizen. A candidate who is conditionally appointed to the Academy pending completion of a Navy security and suitability investigation shall be subject to immediate separation should the candidate, as a result of the investigation, fail to meet the

requirements established for appointment as Midshipman, USNR.

(e) *Waivers.* There shall be no waivers of general eligibility requirements.

§ 310.55 Scholastic requirements.

(a) *Academic requirements—(1) Credits.* Applicants shall have satisfactorily completed their high school education at an accredited secondary school, or equivalent, and shall present at least 15 units of credit for subjects acceptable to the Academy, comprised of:

- (i) 7 required units, as follows:
 - (A) 3 units of Mathematics (from algebra, geometry and trigonometry);
 - (B) 3 units of English; and
 - (C) 1 unit of Physics or Chemistry.
- (ii) 8 other units, preferably chosen from the following fields:
 - (A) Additional mathematics and science;
 - (B) Foreign language;
 - (C) Economics; and,
 - (D) Social science.

(2) *Evidence of academic work.* Before approval of an application, each applicant shall submit evidence showing completion of high school education, or showing that such education will be completed no later than June 30 of the year in which admission is sought.

(b) *Scholastic examinations—(1) Required entrance examinations.* Applicants shall qualify in either the College Board's Scholastic Aptitude Tests (SAT) or the American College Testing Program (ACT) examinations, administered nationally on scheduled dates at convenient testing centers. A candidate electing to use the College Board shall take both the mathematics and the verbal section of the SAT. A candidate electing to use the ACT, shall take all the tests, namely, English, Mathematics, Social Sciences and Natural Sciences. Minimum qualifying scores on the entrance examinations will be determined by the Superintendent of the Academy for each entering class prior to any offers of appointment for the particular class. Any score below the minimum on any one section of an examination shall make the nominee ineligible for admission. All examination costs shall be borne by the applicant. Nominees shall take all the required examinations by the February testing date in the year for which they seek appointment, unless the Academy's Admissions Office grants special authorization to take later examinations.

(2) *Forwarding test results.* Candidates shall be responsible for requesting the testing services to submit their scores directly to the Academy.

(3) *Test information.* Information on the entrance examinations may be obtained from—

The candidate's high school guidance office; or,
College Board, P.O. Box 592, Princeton, N.J. 08540; or,
College Board, P.O. Box 1025, Berkeley, CA. 94701; or,
American College Testing Program, P.O. Box 168, Iowa City, IA 52240.

(c) *Prior Scholastic Record.* Applicants shall demonstrate scholastic achievement by having attained a relatively high standing in relation to their fellow students and by having shown proficiency in mathematics and science courses. With respect to applicants who completed high school at least one year before applying for admission to the Academy, consideration will be given to satisfactory college level study or any special study undertaken to strengthen their academic backgrounds, particularly in respect to determining whether such supplementary academic activity offsets any deficiency in high school scholastic records.

(d) *Waivers.* No waivers of scholastic requirements will be granted.

§ 310.56 Physical requirements.

(a) *Physical standards.* (1) A candidate shall meet the physical requirements prescribed by the Department of the Navy for appointment as Midshipman, USNR (including the Merchant Marine Reserve, USNR) and the requirements prescribed by the U.S. Coast Guard for original licensing as a third mate and third assistant engineer. All candidates shall have color perception and refractive error within the limits prescribed by the Department of the Navy or by the U.S. Coast Guard, whichever are higher.

(2) The requirement to meet these standards is a continuing one and shall apply through graduation from the Academy. Failure to meet the standards while attending the Academy is grounds for, and may lead to disenrollment. Individuals who have completed at least two years of study and, as a result of an accident, illness or other cause (during official duty), fail to meet this requirement may be permitted to remain at the Academy at the discretion of, and under conditions set by, the Administrator. Those individuals permitted to remain through graduation will agree to fulfill aspects of the service obligation which they are capable of, as deemed appropriate by the Administrator.

(b) *Qualifying physical examinations.* All candidates for the Academy shall

have a physical and dental examination conducted by a service academy examining facility designated by the Service Academies Central Medical Review Board. The required physical examination shall occur within 1 year preceding the date of admission to the Academy. Although there is no charge for such examination, all expenses (including travel, meals and hotel accommodations) incurred in obtaining such examination shall be borne by the applicant. Candidates may be subject to reexamination upon reporting to the Academy and at any time while attending the Academy.

(c) *Physical reexamination.* A candidate who is rejected for failure to meet the physical requirements may request either a reevaluation of the examination results or a reexamination. A midshipman failing to meet the physical requirements while attending the Academy is entitled to make the same request.

(d) *Waivers.* No waivers of physical requirements will be granted.

§ 310.57 Application and selection of midshipmen.

(a) *Application.* All candidates shall submit an application for admission to the Academy's Admissions Office. Prospective candidates also should submit an application, but are not considered official candidates until their nominations are received. Candidates shall submit with their applications an official transcript and personality record from the candidate's high school and, if applicable, such records from any school attended after high school graduation. Application forms are available upon request by writing to the Admissions Office at the Academy.

(b) *Selection of Midshipmen.* Selection of midshipmen for appointment to fill vacancies allotted to the various States and other locations, as specified in § 310.53(b) (1) and (2) of this subpart, shall be in order of merit. The order of merit shall be determined on the scores of the required entrance examinations, on assessment of the academic background of the individual and on such other factors as are considered by the Academy to be effective indicators of motivation and the probability of successful completion of training at the Academy. No preference shall be granted in selecting individuals for appointment because one or more members of their immediate families are alumni of the Academy.

(c) *Notification of selection.* Results of the selection process will be made known about May 1 each year. The Academy shall advise each candidate and his or her nominating official of his

or her status as a principal candidate, as an alternate candidate or as an unqualified candidate. Alternates will replace principal candidates who decline appointment or fail to meet the physical requirements or the security and suitability investigation.

(d) *Service obligation agreement.* Each candidate selected for appointment to the Academy after April 1, 1982, who is a citizen of the United States, shall sign a service obligation contract as a condition of admission. The contract is prescribed in § 310.58 of this subpart.

(e) *Reporting to the Academy.* Candidates who accept offers of appointment shall, pursuant to instructions issued by the Academy, report to the Academy on a specified date in mid-July for orientation and induction.

(f) *Oath.* Each midshipman who is a citizen of the United States shall take the following oath of office at the Academy:

"I, _____, having been appointed a midshipman to the U.S. Merchant Marine Academy, accept appointment and do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will comply with all the regulations of the U.S. Merchant Marine Academy; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God."

(g) *Birth Certificate.* Each candidate shall present a certificate of birth authenticated by an authorized official.

§ 310.58 Service obligation for students enrolled after April 1, 1982.

(a) *Form of service obligation contract.* The service obligation contract shall obligate each midshipman who is a citizen and who enters the Academy after April 1, 1982, to:

(1) Complete the course of instruction at the Academy, unless sooner separated by the Academy;

(2) Fulfill the requirements for a license as an officer in the merchant marine of the United States on or before the date of graduation from the Academy;

(3) Maintain a license as an officer in the merchant marine of the United States for at least six (6) years following the date of graduation from the Academy;

(4) Apply for an appointment as, accept any tendered appointment as and serve as a commissioned officer in the USNR (including the Merchant Marine Reserve, USNR), the United States Coast

Guard Reserve, or any other Reserve component of an armed force of the United States for at least six (6) years following the date of graduation from the Academy;

(5) Serve the foreign and domestic commerce and the national defense of the United States for at least five (5) years following the date of graduation from the Academy;

(i) As a merchant marine officer serving on vessels documented under the laws of the United States or on vessels owned and operated by the United States or by any State or territory of the United States;

(ii) As an employee in a United States maritime-related industry, profession or marine science (as determined by the Administrator), if the Administrator determines that service under paragraph (a)(5)(i) of this section is not available;

(iii) As a commissioned officer on active duty in an armed force of the United States or NOAA; or

(iv) By combining the services specified in paragraphs (a)(5)(i), (ii) and (iii) of this section; and,

(6) Submit periodic reports to the Administration to establish compliance with all the terms of the contract.

(b) *Service as a merchant marine officer.* For purposes of the service obligation, a satisfactory year of service on vessels as a merchant marine officer shall be the lesser of—

(1) 150 days; or

(2) The number of days that is at least equal to the median number of days of seafaring employment under articles achieved by deck or engine officers in the most recent calendar year for which statistics are available.

(c) *Marine-related employment.* (1) Graduates who do not meet the sea service requirement in paragraph (b) of this section and who claim employment in a United States maritime-related industry, profession or marine science as meeting all or part of the service obligation under paragraph (a)(5) of this section and the service obligation contract shall submit evidence to the Administration that they have conscientiously sought employment as a merchant marine officer, and that such employment is not available. Such evidence submitted, and other information available to the Administration, shall be considered in any finding. In view of current and projected employment opportunities afloat, the Administrator will grant the shoreside employment option infrequently and only on the basis of comprehensive evidence.

(2) The Administrator may consider positions of operational, management or

administrative responsibility, including, but not limited to, the following marine-related categories, to be under the provisions of § 310.58(a)(5)(ii) of this subpart and the service obligation contract: Civilian employment in Federal and State agencies related to maritime affairs; steamship companies; stevedoring companies; vessel chartering and operations; cargo terminal operations; naval architecture; shipbuilding and repair; municipal and State port authorities; and port development, marine engineering, and tug and barge companies.

(d) *Reporting requirements.* Each graduate shall submit an employment report to the Academies Program Officer, Office of Maritime Labor and Training, Maritime Administration, NASSIF Building, 400 7th St., SW, Washington, D.C. 20590, on or before July 1 of each year following his or her year of graduation for five consecutive years. Each graduate granted a deferment to engage in a graduate course of study shall submit annual reports for the extension of the five (5) year obligation period resulting from such deferment. The Administration shall provide reporting forms. However, non-receipt of such form shall not exempt a graduate from submitting employment information as required by this paragraph. The reporting requirements for graduates will not become effective until there are Academy graduates subject to this provision, no earlier than 1986. The specific form to be developed by the Administration will be subject to approval by the Office of Management and Budget.

(e) *Breach of contract.* (1) If the Administration determines that any individual who has attended the Academy for not less than 2 years has failed to complete the course of instruction at the Academy, the Secretary of the Navy may order that individual to active duty in the U.S. Navy, at a rating determined by the U.S. Navy, to serve for a period of time not to exceed 2 years. The Administration shall submit the list of those who have breached their service obligation contract to the Chief of Naval Education and Training, Naval Air Station, Pensacola, Florida 32508.

(2) If the Administration determines that a graduate of the Academy has broken his or her agreement under paragraphs (a)(2) through (6) of this section and the service obligation contract, such individual may be ordered to active duty to serve a period of time not less than three (3) years and not more than the unexpired portion of

the service required under said subparagraph (5) and the contract. The Administrator, in consultation with the Department of Defense and the U.S. Coast Guard, shall determine in which service the graduate shall serve and the period of time. The branch of service in which the individual serves shall determine the rank or rating of the individual.

(f) *Waivers.* The Administrator shall have the discretion to grant waivers of the service obligation contract in cases where there would be undue hardship or impossibility of performance due to accident, illness or other justifiable reason. Applications for waivers shall be submitted to the Academies Program Officer, Office of Maritime Labor and Training, Maritime Administration, NASSIF Building, 400 7th St., SW, Washington, D.C. 20590.

(g) *Deferments.* In exceptional cases, the Administration may grant a deferment of all or part of the agreement under paragraph (a)(5) of this section and the service obligation contract, for a period not to exceed 2 years, only for graduates considered to have superior academic and conduct records while at the Academy and only for the purpose of entering a marine or maritime-related graduate course of study approved by the Administrator; *Provided*, That any deferment of service as a commissioned officer under paragraph (a)(5)(iii) of this section and the service obligation contract shall be subject to the sole approval of the Secretary of the department which has jurisdiction over such service (including the Secretary of the department in which the U.S. Coast Guard is operating and the Secretary of Commerce with respect to NOAA). A graduate shall make application for such deferment through the Superintendent of the Academy, who shall forward each application, together with the Superintendent's recommendation for approval or disapproval and an evaluation of the applicant's academic and conduct records, to the Academies Program Officer, Office of Maritime Labor and Training, Maritime Administration, NASSIF Building, 400 7th St., SW, Washington, D.C. 20590 for appropriate action.

(h) *Determination of compliance with service obligation contract; deferment; and review procedures.* (1) A designated official of the Administration shall:

(i) Determine whether a student or graduate has breached his or her service obligation contract;

(ii) Grant or deny a deferment of the service obligation, except for obligations otherwise a part of the graduate's commissioned officer status; and,

(iii) Grant or deny a waiver of the requirements of the service obligation contract in cases of undue hardship or impossibility of performance due to accident, illness or other justifiable reason.

(2) A Review Panel, consisting of a representative of the Administration serving as Presiding Official and representatives of the Department of the Navy, NOAA and the U.S. Coast Guard, shall review decisions of the designated official under paragraph (h)(1) of this section upon written request of the student or graduate.

(3) The Administrator shall adopt procedures for the Review Panel. Actual notice of such procedures will be given to each midshipman at the time of enrollment in the Academy.

(4) The decisions of the Review Panel shall be final.

§ 310.59 Courses of instruction.

(a) *At Academy.* Three major curriculums are offered: Nautical Science, for the preparation of deck officers; Marine Engineering, for the preparation of engineering officers; and the Dual License Program, a combined course which leads to licenses in both specialties. All midshipmen who are citizens shall take naval science courses prescribed by the Department of the Navy. All curriculums include general education courses and electives.

(b) *Sea year.* Midshipmen spend one-half of their sophomore (third class) year and one-half of their junior (second class) year training at sea aboard one or more merchant vessels. In addition to practical shipboard assignments, midshipmen are required to complete written study assignments incorporating material from the major segments of the Academy curriculums.

§ 310.60 Training on subsidized vessels.

All operators of subsidized merchant vessels, in accordance with contractual arrangements, are required to employ for training at least two midshipmen, as assigned by the Superintendent of the Academy, which employment shall be in accordance with the following provisions.

(a) *Work assignments.* All practical work assignments for midshipmen shall be in accordance with courses prescribed by the Superintendent of the Academy.

(b) *Working hours.* In order to permit midshipmen to complete their academic assignments, vessel employers shall not require midshipmen to work more than 8 hours each day. Midshipmen shall devote at least 3 hours of their own time each day to study.

(c) *Pay.* Midshipmen shall receive pay, while employed aboard merchant vessels, at the rate of \$461.40 per month directly from their steamship company employers. The employers also shall pay the midshipmen such subsistence and room allowance in port, transportation allowances, and other bonuses or allowances as are paid to the licensed officers of the vessel in which the midshipmen are employed.

(d) *Berthing and messing.* While aboard ship, midshipmen shall be berthed in single-occupancy rooms or in rooms with other midshipmen in that part of the vessel designated for licensed officers (or in first-class passenger quarters) and shall mess with the licensed officers.

§ 310.61 Training on other vessels and by other facilities or agencies.

The Administrator may arrange for training of midshipmen on Government-owned vessels, in cooperation with other governmental and private agencies, and on other vessels documented under the laws of the United States if the owner of such vessel cooperates in such use. Midshipmen may be assigned for training in shipyards, plants, and industrial and educational organizations for instructional purposes only.

§ 310.62 Allowances and expenses; required deposit.

(a) *Items furnished.* Each midshipman shall receive: free tuition, quarters and subsistence; limited medical and dental care; and certain travel expenses, in accordance with chapter 5, part A, of the Joint Travel Regulations for Members of Uniform Services, Vol. 1 (U.S. Department of Defense publication, Serial No. 0516-LP-255-0265), while traveling under official Academy orders.

(b) *Required Deposit.* Prior to admission to the Academy, each midshipman shall make a specified deposit, as established by Academy regulations, to help defray the cost of items and services generally of a personal nature which are not provided by the Academy. Additional deposits, as prescribed in Academy regulations, are required to be made in subsequent years. Failure to make any required deposit will result in denial of admission, suspension or disenrollment.

§ 310.63 Uniforms and textbooks.

The Academy shall supply midshipmen uniforms and textbooks in accordance with Academy regulations.

§ 310.64 Privileges.

(a) Midshipmen may be granted a leave of absence of approximately four

(4) weeks after completing each of the first, second and third years of training.

(b) Classes and exercises are suspended on New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, Christmas Day and such other days as may be designated by the President as holidays for Federal employees.

(c) Midshipmen may be granted approximately 2 weeks leave during the period which includes Christmas Day and New Year's Day.

(d) Liberty and other privileges are granted to midshipmen meriting them under Academy regulations.

(e) Relatives and friends of midshipmen may visit at the Academy during such hours as the Superintendent may prescribe.

(f) There shall be a Ship's Service Store maintained as a non-appropriated fund activity at the Academy primarily to serve the needs of the midshipmen.

§ 310.65 Graduation.

(a) *Classes enrolled prior to April 1, 1982.* (1) A midshipman will be graduated from the Academy upon the successful attainment of the following requirements:

(i) Completion of the required course of study;

(ii) Fulfillment of the requirements for a license as an officer in the merchant marine of the United States;

(iii) Filing for a commission in the USNR (including the Merchant Marine Reserve, USNR); and

(iv) Compliance with the prescribed midshipman disciplinary and honor systems.

(2) Graduates receive the degree of Bachelor of Science and a U.S. Coast Guard license either as third officer or third assistant engineer or both. They also may be granted commissions as Ensign, USNR (including the Merchant Marine Reserve, USNR) by the Department of the Navy.

(3) In return for the education received at Government expense, each applicant shall sign an agreement to serve in one of the following categories immediately after graduation:

(i) Sail on his or her license at sea for not less than six (6) months each year for three (3) consecutive years; or

(ii) Sail on his or her license at sea for not less than four (4) months each year for four (4) consecutive years; or

(iii) Apply for and serve on active duty for training on board a U.S. Navy ship for a minimum period of thirty (30) consecutive days each year for a period of three (3) consecutive years, and be either employed ashore for the balance

of each year in some phase of the maritime industry or engaged in full-time graduate studies related to the maritime field; or

(iv) Apply for and serve on full-time active duty as a commissioned officer in a uniformed service of the United States for a period of 3 consecutive years.

(b) *Classes enrolled after April 1, 1982.* (1) A midshipman will be graduated from the Academy upon the successful attainment of the following requirements:

(i) Completion of the required course of study;

(ii) Fulfillment of the requirements for a license as an officer in the merchant marine of the United States;

(iii) Application for an appointment, and acceptance if tendered of an appointment, as a commissioned officer in the USNR (including the Merchant Marine Reserve, USNR), the U.S. Coast Guard Reserve, or any other Reserve component of an armed force of the United States; and,

(iv) Compliance with the prescribed midshipman disciplinary and honor systems.

(2) Graduates receive the degree of Bachelor of Science and a U.S. Coast Guard license either as third officer or third assistant engineer or both. They also may be commissioned as a reserve officer in an armed force as described in paragraph (b)(1) of this section.

(3) The service obligation incurred by graduates is prescribed in § 310.58 of this subpart.

§ 310.66 Foreign students.

(a) *Appointments from the Trust Territory of the Pacific Islands.* The Administrator may permit, upon designation by the Secretary of the Interior, individuals from the Trust Territory of the Pacific Islands to receive instruction at the Academy. Not more than 4 such individuals may receive instruction at any one time. Residents of the Trust Territory of the Pacific Islands are neither citizens nor nationals of the United States.

(b) *Appointments from the Northern Mariana Islands.* The Governor of the Northern Mariana Islands may nominate individuals for one position each year allocated to residents of the Northern Mariana Islands. Such residents are neither citizens nor nationals of the United States.

(c) *Appointments from nations located in the Western Hemisphere.* The President may designate individuals from nations located in the Western Hemisphere, other than the United States, to receive instruction at the Academy. Not more than 12 individuals

may receive instruction under this Subsection at any one time, and not more than 2 individuals receiving instruction under this Subsection at any one time may be from the same nation.

(d) *Appointments from nations other than the United States.* In addition to the appointments under paragraphs (a), (b) and (c) of this section, the Administrator, with the approval of the Secretary of State, may permit individuals from any nations other than the United States to receive instruction at the Academy. Not more than 30 such individuals may receive instruction at any one time.

(e) *Candidate Sponsors.* A representative of the Administration or a diplomatic representative of the United States in the candidate's country of residence will be designated as the Candidate's Sponsor. It will be the responsibility of the Candidate's Sponsor to act as liaison with the appropriate officials of the candidate's country of residence and to coordinate all activities, including funding arrangements, entrance examinations, medical examinations, country clearances, travel papers, transportation to the Academy, obtaining the necessary designation by the Department of the Interior in the case of candidates from the Trust Territory of Pacific Islands under paragraph (a) of this section, the nomination of the Governor of the Northern Mariana Islands under paragraph (b) of this section, the nomination of a designee of the President in the case of candidates from nations located in the Western Hemisphere under paragraph (c) of this section, and the approval of the Department of State in the case of candidates from nations other than the United States under paragraph (d) of this section. In addition, the Candidate's Sponsor shall furnish to the Admissions Office of the Academy a report as to the candidate's proficiency in the use of idiomatic English.

(f) *Admissions Procedure—(1) Applications.* Applications for enrollment of foreign students shall be processed through the appropriate diplomatic channels of the applicant's country and the appropriate offices in the United States Departments of State or of the Interior, whichever is applicable. Applications shall reach the appropriate office of the United States Government by January 1 of the year in which admission is sought. After endorsement by the authorized official of the United States Government, the application will be forwarded promptly to the Academy's Admissions Office.

(2) *Qualifications.* Each candidate shall:

(i) Be a bona fide citizen of the country transmitting the application and meet the requirements as to age and character set forth in § 310.54 of this subpart;

(ii) Possess the physical qualifications, specified in § 310.56 of this subpart, and undergo a physical examination as arranged by the Academy's Admissions Office;

(iii) Be proficient in reading, writing and speaking idiomatic English; and,

(iv) Satisfy the following scholastic requirements:
(A) Meet the minimum qualifying scores on the entrance examinations as specified in § 310.55 of this subpart. When available, special foreign language College Board examinations may be substituted for the College Board or American College Testing Program examinations. Detailed certificates covering schoolwork of foreign students are required. Transcripts shall be submitted in the English language.

(B) Submit a certificate from his or her Government that he or she is conversant with the literature of his or her native country and that he or she has completed a course in the literature of his or her native language generally equivalent to two (2) years of secondary schoolwork in literature in the United States. In lieu of this certificate, a candidate may produce evidence of having acquired the units for literature from accredited United States schools.

(g) *Cost of instruction.* Students admitted to the Academy pursuant to paragraphs (a), (b) and (c) of this section shall be subject only to the same fees as are paid by citizen midshipmen. The cost of instruction (including the same allowances as received by midshipmen at the Academy appointed from the United States) for students admitted to the Academy under paragraph (d) of this section must be reimbursed to the Administrator by the nation from which the student comes. Such reimbursement shall be the incremental cost of providing the instruction to each of such foreign students (including the cost of allowances). The amount of reimbursement shall be established by the Academy separately for each entering class and each upper class prior to January 1 of the year in which the academic year begins and will be payable annually in advance of commencement of the academic year. Instructions as to payment procedures will be provided with the statement of the amount to be reimbursed. Students

admitted to the Academy pursuant to paragraph (d) of this section shall pay the same fees paid by citizen midshipmen.

(h) *Uniforms, textbooks and allowances.* The Academy shall provide to foreign students receiving instruction at the Academy all required uniforms and textbooks and allowances for transportation as are provided to citizen midshipmen.

(i) *Rules and regulations.* Subject to such exceptions as shall be jointly agreed to by the Administrator and the Secretary of the Interior with respect to individuals from the Trust Territory of the Pacific Islands, foreign students, including students from the Northern Mariana Islands, receiving instruction at the Academy shall be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal and graduation as citizen midshipmen; but such persons shall not be entitled to hold any license authorizing service on any merchant vessel of the United States solely by reason of graduation from the Academy.

(j) *Oath.* In lieu of the oath of allegiance to the United States, a substitute oath shall be required of students who are not citizens of the United States, as follows:

"I, _____, a citizen of _____, aged _____ years and _____ months, having been appointed to receive instruction at the U.S. Merchant Marine Academy, do solemnly swear (or affirm) to comply with all regulations of the U.S. Merchant Marine Academy and to give my utmost efforts to accomplish satisfactorily the required curriculum with the full knowledge that I shall be disenrolled from the U.S. Merchant Marine Academy if deficient in conduct, health or studies."

§ 310.67 Academy regulations.

The Superintendent of the Academy is delegated authority to issue all regulations necessary for the accomplishment of the Academy's mission.

(Catalog of Federal Domestic Assistance Program No. 11-507 U.S. Merchant Marine Academy (Kings Point))

Dated: May 13, 1982.

By order of the Administrator of the Maritime Administration.

Robert J. Patton, Jr.,

Secretary.

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