

List of Subjects in 32 CFR Part 1665

Armed forces, Draft, Privacy.

Thomas K. Turnage,

Director.

June 2, 1982.

PART 1665—PRIVACY ACT PROCEDURES

The amendment is:

Part 1665—Privacy Act Procedures of 32 CFR is amended by adding § 1665.8 to read as follows:

§ 1665.8 Systems of records exempted from certain provisions of this act.

Pursuant to 5 U.S.C. 552a(k)(2), the Selective Service System will not reveal to the suspected violator the informant's name or other identifying information relating to the informant.

(5 U.S.C. 552a)

[FR Doc. 82-15331 Filed 6-4-82; 8:45 am]

BILLING CODE 8015-01-M

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 117**

[CGD7 82-01]

Drawbridge Operation Regulations; Garrison Channel, Tampa, Florida

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of Mr. Edward J. Kohrs on behalf of American Centennial Insurance Company, the Coast Guard is changing the regulations governing the bridge across Garrison Channel, mile 0.2, Tampa, Florida to require the draw to open on signal if at least 48 hours advance notice is given to the local representative. This change is being made because no requests have been made to open the draw since 1979. This action will relieve the bridge owner of the burden of having a person constantly available to open the draw and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: This amendment becomes effective on July 7, 1982.

FOR FURTHER INFORMATION CONTACT: James R. Kretschmer, Bridge Administrator, Aids to Navigation Branch, Room 1006, Federal Building, 51 Southwest First Avenue, Miami, Florida 33130, telephone (305) 350-4108.

SUPPLEMENTARY INFORMATION: On January 28, 1982, the Coast Guard published a proposed rule (47 FR 4094) concerning this amendment. The Commander, Seventh Coast Guard

District, also published this proposal as a Public Notice dated February 5, 1982. Interested persons were given until March 1, 1982 to submit comments.

Drafting Information

The principal persons involved in drafting this rule are: Walter Paskowsky, Bridge Administration Specialist, Bridge Section, Aids to Navigation Branch and Lieutenant Michael T. Harris, Assistant Legal Officer, Seventh Coast Guard District Legal Office.

Discussion of Comments

The Jacksonville District, U.S. Army Corps of Engineers, provided the only comment, and stated they had no objections to the proposed revision. Access around Seddon Island is available for navigation via Seddon Channel to the west and Sparkman Channel to the east. Therefore, a final economic evaluation on the regulation has not been prepared because of minimal economic impact.

These final regulations have been reviewed under provisions of Executive Order 12291 and have been determined not to be a major rule. They are considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of May 22, 1980). As explained above, an economic evaluation has not been conducted. In accordance with section 605(d) of the Regulatory Flexibility Act (94 Stat. 1164), it is also certified that these rules will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

In consideration of the foregoing, Part 117 of Title 33 of the Code of Federal Regulations is amended by adding a new § 117.245(i)(4-a) immediately after § 117.245(i)(4) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

* * * * *

(i) Waterways discharging into Gulf of Mexico east of Mississippi River.

* * * * *

(4-a) Garrison Channel, Tampa, Florida. The draw shall open on signal if

at least 48 hours advance notice is given.

* * * * *

(33 U.S.C. 449, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(g)(3))

Dated: May 13, 1982.

B. E. Stabile,

Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.

[FR Doc. 82-15204 Filed 6-4-82; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGD5 81-10R]

Drawbridge Operation Regulations; Roanoke River, North Carolina

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the North Carolina Division of Highways, the Coast Guard is establishing new regulations governing operation of the drawbridge across the Roanoke River, mile 37.5 at Williamston, North Carolina, to limit the opening of the drawbridge. This change is being made because vessel traffic through the bridge has declined in recent years. This action will result in a substantial monetary saving to the bridge owner and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: This amendment becomes effective on July 3, 1982.

FOR FURTHER INFORMATION CONTACT: Wayne J. Creed, Bridge Administrator, Aids to Navigation Branch, Fifth Coast Guard District, Federal Building, 431 Crawford Street, Portsmouth, Virginia 23705, (804) 398-6222.

SUPPLEMENTARY INFORMATION: On February 25, 1982, the Coast Guard published a proposed rule (46 FR 49913) concerning this amendment. The Commander, Fifth Coast Guard District, also published this proposal in Public Notice (5-510) dated March 1, 1982, which was included in Local Notice to Mariners No. 9 dated March 2, 1982. Interested persons were requested to submit comments, but no comments were received.

Discussion of Rule

These regulations will require a 24-hour advance notice for all draw openings year round. The bridge is currently operated under the general regulations that are contained in Title 33, Code of Federal Regulations, § 117.240, which requires the bridge to open on signal. Therefore, draw operators are in constant attendance.

The regulations will relieve the bridge owner of the responsibility for keeping draw operators in constant attendance. The 24-hour advance notice for draw openings is established because water traffic at this location has declined in recent years.

Records of draw openings show that the bridge was opened 28 times for the passage of water traffic during 1979, and the bridge was only opened 6 times during 1980. Moreover, the prospect for any significant increase in water traffic is poor because the oil terminal upstream of the bridge has been closed and petroleum products are currently moved by pipeline and truck. Barge traffic to and from the oil terminal accounted for 95% of the draw openings. Therefore, the change in regulations is made without significantly affecting water traffic and it will relieve the bridge owner of the responsibility of providing constant operator attendance at the bridge. There are no businesses that will be impacted by the change in operating regulations.

Evaluation

This regulation has been reviewed under the provisions of Executive Order 12291 and has been determined not to be a major rule. In addition, this regulation is considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5-22-80). An economic evaluation has not been conducted since, for the reasons discussed above, its impact will be minimal. In accordance with Section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164), it is certified that this rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Final Regulation

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations is amended as follows:

In 33 CFR 117.245, paragraph (g) is revised by adding a new subparagraph (2-b) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

(g) * * *

(2-a) * * *

(2-b) Roanoke River, N.C.; North Carolina Division of Highways bridge at Williamston. At least 24-hours advance notice required for draw openings.

(33 U.S.C. 499, 49 U.S.C. 1655(g)(2), 49 CFR 1.46(c)(5), 33 CFR 1.05-1(g)(3))

Dated: May 10, 1982.

John D. Costello,

Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

[FR Doc. 82-15192 Filed 6-4-82; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGO 13-82-062]

Drawbridge Operation Regulations; Willamette River, Oregon

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of Multnomah County, Oregon, the Coast Guard is changing the regulations governing the Morrison and Burnside Bridges across the Willamette River at Portland, Oregon, by requiring that advance notice be given for bridge openings. This regulation change is being made because the average number of daily openings are not sufficient to require that drawtenders be kept in constant attendance. This action will relieve the owner of the bridges of the burden of having persons constantly available to open the draws while still providing for the reasonable needs of navigation.

EFFECTIVE DATE: This amendment is effective on July 7, 1982.

FOR FURTHER INFORMATION CONTACT:

John E. Mikesell, District Bridge Administrator, Aids to Navigation Branch, Room 3564, Federal Building, 915 Second Avenue, Seattle, Washington 98174, telephone (206) 442-5864.

SUPPLEMENTARY INFORMATION: Proposed rulemaking was published on pages 49910-49913 of the Federal Register of October 8, 1981. Interested parties were given until November 7, 1981 to submit comments. The Commander, Thirteenth Coast Guard District, also published the proposal as Public Notice 81-N-15, dated October 23, 1981. Interested parties were given until November 27, 1981 to submit comments. A total of nineteen responses were received to the published notices of proposed rule change. Review of the comments indicated that there was significant community controversy regarding the proposal. In view of the comments

received, the Commandant authorized the Commander, Thirteenth Coast Guard District, to hold a public hearing to obtain additional information on the proposal. Notice of the hearing was published on page 3010 of the Federal Register of January 21, 1982. The Commander, Thirteenth Coast Guard District, also published notice of the hearing as Public Notice 82-N-01, dated January 13, 1982. The public hearing was held at the Bonneville Power Administration Building, 1002 N.E. Holladay Street, Portland, Oregon on February 11, 1982 in two sessions, the first commencing at 2:30 p.m., and the second at 7:00 p.m. A total of eleven persons provided comments at the two sessions. Notice was given at each of the sessions that the comment period would be kept open until February 25, 1982 to accommodate persons wishing to provide written comment. Three additional responses were received during this period. Six responses were received during a preliminary solicitation for comments prior to issuance of the public notice, and two responses were received to the notice of the public hearing.

Drafting Information

The principal persons involved in drafting this rule are: John E. Mikesell, District Bridge Administrator and Lt. James R. Woepel of the District Legal Officers Staff.

Discussion of Rule

Multnomah County, Oregon requested the Coast Guard to amend the operating regulations for its Morrison, Burnside, and Broadway Bridges across the Willamette River at Portland, Oregon. The request was made because of limited requests for openings of the draws and in an effort to reduce operating costs of the bridges. Under the current operating regulations, the four Multnomah County drawbridges across the Willamette River at Portland are under constant attendance and open upon request for the passage of vessels except during authorized closed periods. Multnomah County requested that the operating regulations be changed to require advance notice to be given for openings of the Morrison, Burnside and Broadway Bridges, except when the water elevation reaches +12 feet and during Rose Festival Week, at which time all bridges would open on call. On weekdays, Monday through Friday, between the hours of 0800 and 1630, one hour advance notice would be required for bridge openings; at all other times two hours advance notice would be required. Advance requests openings

would be made by contacting the drawtender of the Hawthorne Bridge by marine radio, telephone, or other suitable means.

The regulation change as originally proposed would require that advance notice be given for openings of the Morrison, Burnside and Broadway Bridges, thereby eliminating the need for the bridges to have a drawtender in constant attendance. A total of forty-one persons or organizations provided comments on the proposed rule change. Some of the commentors provided comments on more than one subject. The comments that were received fell into the following general categories: (1) No objection, (2) In support of, (3) In opposition to, (4) Concerned about, (5) Offering an alternate proposal, and (6) Other. The comments are summarized as follows:

(1) No objection—Seven comments were received. Three of the comments were from federal and state agencies, and four were from commercial navigation interests. The comments of no objection received from federal and state agencies are considered to be procedural in nature and represent neither support nor opposition to the proposal. The no objection comments received from commercial navigation interests are considered to be the views of companies whose operations would not be significantly affected by the proposed change.

(2) In support of—Four comments were received. One comment from an elected public official of the county and two from private citizens addressed the cost savings which would be realized by the proposed change. One comment from a commercial navigation interest was a simple declaration of support for the proposal. Comments which support the proposal solely on the basis of cost savings to the bridge owner are not considered to be a determinant factor in this action, because the Coast Guard's primary concern is the degree to which the proposal would provide for the reasonable needs of navigation.

(3) In opposition to—Nine comments were received. Four comments were from county bridge operators or their representatives, two were from private citizens and one each was from a commercial navigation interest, a recreational navigation interest, and an elected public official of the county. Opposition comments expressed concern about public safety and the potential for delay, inconvenience and expense to navigation on the waterway.

(4) Concerned about—Twenty-four comments were received. Four were from commercial navigation interests, and two were from recreational

navigation interests. Fourteen comments were from county bridge operators or their representatives. Two comments were from private citizens and one each was from a public official and a commercial interest. The majority of the concerns addressed issues of vessels delay, operating expense, and inconvenience of scheduling and passage, which were anticipated if the proposal was approved. Additional concerns were expressed that the right of free passage on a navigable waterway would be interfered with. The potential effects that the proposed rule would have on waterway and public safety were also expressed as concerns. These concerns are considered significant, in that they express opinions on the reasonableness of the proposal in providing for the needs of navigation. Comments were also received from bridge operators and private citizens indicating concerns for highway and pedestrian safety if the proposal was approved. Problems of highway and pedestrian safety are not within the scope of Coast Guard jurisdiction in this action.

(5) Alternate proposal—Four comments were received which recommended an alternative to the proposed rule change. One proposal was made by a state agency concerned with commercial navigation, and three were made by county bridge operators. The proposed alternative would exclude the Broadway Bridge from the proposed regulation change. Reasons given for the alternative indicate that it would better serve the interests of navigation, and provide for a greater margin of waterway and public safety.

(6) Other—Six comments were placed in this category because they provided no substantive information on the issue under consideration.

Comments received from elected officials of the county indicated both support for and opposition to the proposal. These conflicting views tend to indicate a lack of unanimity on the part of the county in support of their own proposal. Comments of support or opposition were not considered to be significant factors in and of themselves in the evaluation of the proposed action. Concerns expressed on the suitability of the proposal in providing for the reasonable needs of navigation were considered significant were evaluated accordingly.

Upon consideration of all comments and concerns, and after reviewing all of the material submitted, the Coast Guard has determined that exclusion of the Broadway Bridge from the proposed regulation change would be in the best public interest. Excluding the Broadway

Bridge from the proposed regulation change would more adequately provide for the reasonable needs of navigation and public safety, while allowing the county to operate the Morrison and Burnside bridges using the advance notice procedure for openings, thereby eliminating the need for drawtenders to be in constant attendance. Under this regulation, the most upstream and most downstream of the four county bridges would have drawtenders in constant attendance. The two middle bridges would require advance notice for operation.

Evaluation

These regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. In addition, these regulations are considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5-22-80). An economic evaluation has not been conducted since, for the reasons discussed above, its impact is expected to be minimal. In accordance with section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164), it is also certified that these rules will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Final Regulation

PART 117—DRAWBRIDGE OPERATION REGULATIONS

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations be amended by revising § 117.750 to read as follows:

§ 117.750 Willamette River at Portland, Oreg., Columbia River at Vancouver, Wash., and North Portland Harbor (Oregon Slough), Oreg., bridges (highway and railroad); signals.

(a) The draws of the Burlington Northern railroad bridges at Vancouver, Wash., and at St. Johns, Oreg., shall open on signal.

(b) The draws of the Interstate Highway Bridge at Vancouver, Wash., the Union Pacific railroad/highway bridge, Hawthorne Bridge and Broadway Bridge at Portland, Oreg., shall open on signal, except during closed periods (see paragraph (i)(1) of this section, and § 117.758a).

(c) The draws of the Burnside and Morrison Bridges at Portland, Oreg., shall:

(1) Open on signal, except during closed periods (see paragraph (i)(1) of this section), on weekdays Monday through Friday, between the hours of 0800 to 1630, if at least one hour notice is given, and at all other times if at least two hours notice is given. Notice shall be given by marine radio, telephone or other means to the drawtender of the Broadway Bridge for vessels bound upstream and the drawtender of the Hawthorne Bridge for vessels bound downstream.

(2) Open on signal for the emergency passage of harbor patrol and fireboats if notice is given to the drawtender at either the Broadway or Hawthorne Bridges. At such times the Broadway and Hawthorne Bridges may be temporarily unmanned and unable to open for the passage of vessels.

(3) Open on signal, except during closed periods (see paragraph (i)(1) of this section), without advance notice when the water elevation reaches and remains above +12 feet.

(4) Open on signal, except during closed periods (see paragraph (i)(1) of this section), without advance notice during Portland Rose Festival week.

(d) Call signals for opening of draw. These signals shall be as prescribed for each bridge in paragraph (e) of this section. It is given by vessels as notice to bridge operators to open the draw, or in case the draw is already open, that they intend to pass through. A call signal given twice in rapid succession indicates that vessel has authority to pass bridges during closed periods (see paragraph (i)(1) of this section).

(e) Answering signals. (1) Acknowledging signal. Shall be the same as the call signal for each bridge. Its purpose is to acknowledge the call signal of a vessel and to indicate that the operator intends to open the draw as soon as practicable, or that he will hold it open.

(2) Danger signal. Shall consist of a series of short blasts, at least four, given in rapid succession, and repeated if necessary. Its purpose is to answer the call signal of a vessel and to indicate that the draw cannot, or will not, be opened at once, or, when vessels are waiting in the vicinity, that the draw, if open, is about to be closed. It is also to be used in emergency to revoke an acknowledging signal.

(3) Rescinding signal. Shall be the reverse of the call signal for each bridge. It is given by a vessel to cancel a previous call signal, to indicate that the vessel does not intend to pass through

and that the draw need not be opened, or may be closed.

(4) Answer to rescinding signal. (i) Answer by the bridge operator to a rescinding signal shall be the danger signal (see paragraph (e)(2) of this section).

(5) Call signals. The following call signals are prescribed for vessels wishing to have the drawspans opened or held open.

(i) Burlington Northern railroad bridge, at Vancouver, Wash., one long followed by one short blast.

(ii) Interstate Highway Bridge, at Vancouver, Wash., two long followed by one short blast.

(iii) (Reserved)

(iv) Burlington Northern railroad bridge, at St. Johns, Oreg., one long followed by one short blast.

(v) Broadway Bridge, two long followed by one short blast.

(vi) Union Pacific Railroad bridge, one long followed by one short blast.

(vii) Burnside Bridge, one long followed by two short blasts.

(viii) Morrison Bridge, one long followed by three short blasts.

(ix) Hawthorne Bridge, one long followed by four short blasts.

Call signals may be given on any form of whistle, horn, siren, or trumpet with sufficient range or volume to be heard by bridge operators.

(f) To bridge owners. All bridges to which this section applies shall be equipped with suitable air whistles of sufficient size and range that signals sounded on same shall be distinctly audible up and down stream under adverse wind and weather conditions for a distance of 2,500 feet, except for the Burlington Northern Railroad Co. bridges over the Columbia and Willamette Rivers, which shall have a range of at least 5,000 feet under the same conditions.

(g) To navigators. (1) A vessel, desiring at any time (except during closed periods, and except for bridges which require advance notice, see paragraphs (c)(1) and (i)(1) of this section) to pass through any of the above-mentioned bridges, under which it cannot pass with the draw closed, shall sound the call signal for such bridge as prescribed in paragraph (e) of this section, and shall repeat such signal at intervals until it is answered by the operator of the bridge (see paragraphs (d) and (h) of this section). In the case two vessels approaching from opposite directions would meet at or near the bridge, the vessel bound downstream shall be considered as having the right of way. When either vessel waits for passage of the other, it shall again give

the call signal for the bridge and receive acknowledgement before proceeding. It is incumbent upon navigators to make sure that their signals are understood before proceeding through a drawspan, and when approaching bridges, vessels should be kept under control, with a view to stopping, if necessary, before reaching the bridge.

(2) Vessels authorized to pass through bridges during closed periods, as provided in paragraph (i)(1) of this section and in the case of the Burnside and Morrison Bridges, after contacting the drawtender at the Broadway or Hawthorne Bridges, shall sound the call signal twice in rapid succession. Signals to open shall be given by vessels at a distance of at least 1,000 feet from the bridge, except in the case of a vessel leaving a wharf or anchorage or when waiting less than 1,000 feet from the bridge. In such cases the signal shall be given early enough to allow the operator of the bridge sufficient time in which to clear and open the draw before arrival of the vessel.

(3) All vessels when passing any bridge shall be moved as expeditiously as is consistent with established rules governing speed in the harbor of Portland, and all towboats engaged in handling other craft or in towing logs through any of the bridges shall be of sufficient power to handle the tow without unduly delaying the closing of the drawspan.

(4) Vessels with hinged or adjustable masts or booms projecting above their fixed structures shall lower same and pass under the bridge, if practicable, without signaling for the draw to open.

(h) To bridge operators. (1) If the bridge can be opened, or is already open, when a call signal is given, the operator shall promptly answer the vessel calling by giving the acknowledging signal and promptly open the draw (except during closed periods, see paragraph (i)(1) of this section) or hold it open, as the case may be.

(2) In case the draw cannot be opened at once when the call signal is given, the operator shall promptly answer the vessel calling by giving the danger signal and shall repeat same, if necessary. As soon as the exigency which prevented opening has been removed the bridge operator shall promptly sound the regular acknowledging signal for that bridge to advise vessels that the draw can be opened at once, and he shall thereupon proceed to open same if there is a vessel waiting to pass through.

(3) When two vessels arrive at a bridge at or near the same time and

blow the call signal, lift spans, when opened, shall be raised high enough to clear the taller vessel. If either vessel at any drawbridge waits for passage of the other and again gives the call signal, the bridge operator shall promptly answer with the acknowledging signal and shall hold the span open. In case the intentions of a waiting vessel are not understood by a bridge operator, when the draw is open he shall sound the danger signal as a warning to vessels that he is about to close the draw.

(4) If a rescinding signal is given by a vessel to cancel a previously given call signal, and it is evident the vessel does not intend to pass through, the bridge operator shall answer with the danger signal (four or more short blasts) and may then close the draw, or need not open it.

(i) Closed periods. (1) The periods from 7 a.m. to 8:30 a.m. and 4 p.m. to 5:30 p.m. are hereby designated closed periods during which the draw spans of bridges carrying street traffic over the Willamette River at Portland need not be opened for navigation except as below provided, or when necessary to prevent accident.

(2) Closed periods above defined shall not be effective on Saturday, Sunday, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day, or days observed in lieu of these under State law: Provided, That closed periods shall not apply against harbor patrol or fireboats answering calls. At the Broadway Bridge only, oceangoing vessels of 750 gross tons or over that are entering the harbor directly from the ocean may signal and pass through this bridge at any hour. Vessels authorized to pass through bridges during closed periods or in case of emergency when opening of the draw is necessary to prevent accident, shall sound the call signal twice in rapid succession, i.e., with an interval of not over 5 seconds between signals. The Broadway Bridge shall be opened, however, for oceangoing vessels of 750 tons or over, under the rule above, whether the vessel gives a single or double call signal.

(33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(g)(3))

Dated: May 7, 1982.

C. F. DeWolf,

Rear Admiral, U.S. Coast Guard, Commander, 13th Coast Guard District.

[FR Doc. 82-15191 Filed 6-4-82; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 157

[CGD 81-039b]

Disestablishment of Merchant Marine Technical Branch, Fifth Coast Guard District

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: As a result of an evaluation of its Merchant Marine Technical Branch field organization, the Coast Guard decided to disestablish the Merchant Marine Technical Branch of the Fifth Coast Guard District, Portsmouth, Virginia. As of July 1, 1981, the plan review duties for the geographical area served by the Fifth Coast Guard District were assumed by the Merchant Marine Technical Branch, Third Coast Guard District, New York, NY. Those directly affected by this action were notified directly in March 1981 by CCGD5 (mmt).

DATES: Disestablishment was effective July 1, 1981.

FOR FURTHER INFORMATION CONTACT: LCDR David B. Anderson, Merchant Marine Technical Division (G-MMT-4/13), Room 1300C, Coast Guard Headquarters Building, 2100 2nd Street, SW., Washington, D.C. 20593 (202-426-2197).

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in the drafting of this rule are LCDR David B. Anderson, Project Manager, Office of Merchant Marine Safety and Mr. Michael N. Mervin, Project Attorney, Office of the Chief Counsel.

Discussion

The Coast Guard has completed an evaluation of its Merchant Marine Technical Branch field organization, taking into account many factors including personnel considerations and system efficiency. As a result, the Commandant concluded that a consolidation of the Merchant Marine Technical Branches of the Third and Fifth Coast Guard Districts was necessary for improved overall plan review efficiency, quality and consistency. Accordingly, the workload and military personnel previously assigned to the Fifth District's Merchant Marine Technical Branch were reassigned to the Third Coast Guard District. Shipyards, designers and other businesses and persons within the geographical area of the Fifth Coast District who are directly affected by this action were informed by letter from CCGD5 (mmt) in March 1981.

Because these amendments are of an administrative nature concerning the organization of the Coast Guard, they have no economic or environmental impacts. Therefore, it is not necessary to prepare a Regulatory Impact Analysis, Environmental Assessment, Regulatory Flexibility Analysis, or final evaluation.

Since this amendment relates to departmental rules of organization, it is excepted from notice and public procedures requirements. It is made effective immediately because it is not a substantive rule.

List of Subjects in 33 CFR Part 157

Environmental protection, Oil pollution, Tank vessels, Water pollution control, Organization and functions (government agencies).

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

PART 157—RULES FOR THE PROTECTION OF THE MARINE ENVIRONMENT RELATING TO TANK VESSELS CARRYING OIL IN BULK

1. In § 157.100, by removing and reserving (b)(2) and revising paragraphs (b)(1) and (b)(3) to read as follows:

§ 157.100 Plans for U.S. tank vessels: Submission.

* * *

(b) * * *

(1) Commander, 3rd Coast Guard District (mmt), Governors Island, New York, N.Y. 10004, if the COW system is installed in the area under the 1st, 3rd, or 5th Coast Guard Districts.

(2) [Removed and reserved].

(3) Commander, 8th Coast Guard District (mmt), 500 Camp Street, Hale Boggs Federal Building, New Orleans, Louisiana 70130, if the COW system is installed in the area under the 2nd, 7th, or 8th Coast Guard Districts.

* * *

2. In § 157.200, by removing and reserving paragraph (b)(2) and revising paragraphs (b)(1) and (b)(3) as follows:

§ 157.200 Plans for U.S. tank vessels: Submission.

* * *

(b) * * *

(1) Commander, 3rd Coast Guard District (mmt), Governors Island, New York, N.Y. 10004, if the dedicated clean ballast tank system is installed in the area under the 1st, 3rd, or 5th Coast Guard Districts.

(2) [Removed and reserved].

(3) Commander, 8th Coast Guard District (mmt), 500 Camp Street, Hale Boggs Federal Building, New Orleans, Louisiana 70130, if the dedicated clean

ballast tank system is installed in the area under the 2nd, 7th, or 8th Coast Guard Districts.

(46 U.S.C. 391a, 49 U.S.C. 1655(b), 49 CFR 1.46 (n)(4))

Dated: May 27, 1982.

L. N. Hein,
Captain, U.S. Coast Guard, Acting Chief,
Office of Merchant Marine Safety.

[FR Doc. 82-15181 Filed 6-4-82; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 175

[CGD 81-038-A]

Visual Distress Signal Equipment Requirements

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending its regulation governing the carriage of visual distress signals in order to approve older signal launchers which project approved signals, and, also, to clarify the language concerning the carriage requirements. Comments which have been received about existing flare launchers favor the continued approval of these, contingent upon their serviceability and their design for use with approved signals. This proposal will replace the grandfather clause for existing flare launchers with a permanent exemption based on each launcher's serviceability and its use of approved signals.

DATE: This amendment will be effective on June 7, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. William B. Sobeck, Office of Boating, Public, and Consumer Affairs (G-BBS), U.S. Coast Guard Headquarters, 2100 2nd Street SW., Washington, D.C. 20593, (202) 426-4176.

SUPPLEMENTARY INFORMATION: The Coast Guard published final rules regarding the carriage of visual distress signals on boats on December 17, 1979 (44 FR 73024). The rules contained a list of accepted visual distress signaling devices that could be used to satisfy the carriage requirements. Since that date the Coast Guard has received numerous inquiries on the use of these devices. It was found that some existing flare launchers were designed to use the approved flare signals, so the Coast Guard will allow the continued use of the approved flare signals, so the Coast Guard will allow the continued use of flare launchers manufactured prior to January 1st, 1981, as long as they remain serviceable. This will mean no new costs for the boating public, and should

save some consumers the expense of buying new equipment. Also, some boaters thought that they were required to carry the pyrotechnic type visual distress signals, and expressed confusion over the number required by Table 175.130. This amendment seeks to clarify the wording.

Regulatory Evaluation

Since the only substantive change made by this action would allow continued use of existing equipment, resulting in slight savings to some boaters, the impact will be minimal and an economic evaluation has not been conducted. No new costs will be imposed on the boating public or the manufacturers of flare launchers. As the changes are largely editorial in nature, the Coast Guard for good cause finds that the notice and public comment procedures of 5 U.S.C. 553 are unnecessary.

These regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. In addition, they are considered to be nonsignificant in accordance with the guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of May 22, 1980). As these regulations impose no new costs, and should serve to lessen cost to the boating public, it is certified pursuant to Section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164) that these rules will not have a significant economic impact on a substantial number of small entities.

Drafting Information

The principal persons involved in drafting this rule are Lieutenant (junior grade) C. M. Stratton, Project Manager, Office of Boating, Public and Consumer Affairs, and Lieutenant Michael Tagg, Project Attorney, Office of the Chief Counsel.

List of Subjects in 33 CFR Part 175

Marine safety.

Final Regulations

In consideration of the foregoing, the Coast Guard is amending Part 175 of Title 33, Code of Federal Regulations as set forth below.

PART 175—EQUIPMENT REQUIREMENTS

1. By revising § 175.130 and Table § 175.130 to read as follows:

§ 175.130 Visual distress signals accepted.

(a) Any of the following signals, when carried in the number required, can be

used to meet the requirements of § 175.110:

(1) An electric distress light meeting the standards of 46 CFR 161.013. One is required to meet the night only requirement.

(2) An orange flag meeting the standards of 46 CFR 160.072. One is required to meet the day only requirement.

(3) Pyrotechnics meeting the standards noted in Table 175.130.

(b) Any combination of signal devices selected from the types noted in paragraphs (a) (1), (2) and (3) of this section, when carried in the number required, may be used to meet both day and night requirements. *Examples*—the combination of two hand held red flares (160.021), and one parachute red flare (160.024 or 160.036) meets both day and night requirements. Three hand held orange smoke (160.037) with one electric distress light (161.013) meet both day and night requirements.

TABLE 175.130.—PYROTECHNIC SIGNAL DEVICES

Approval number under 46 CFR	Device description	Meets requirement for	Number required
160.021	Hand Held Red Flare Distress Signals. ¹	Day and Night.....	3
160.022	Floating Orange Smoke Distress Signals.	Day Only.....	3
160.024	Parachute Red Flare Distress Signals.	Day and Night ¹	3
160.036	Hand-Held Rocket-Propelled Parachute Red Flare Distress Signals.	Day and Night.....	3
160.037	Hand-Held Orange Smoke Distress Signals.	Day Only.....	3
160.057	Floating Orange Smoke Distress Signals.	Day only.....	3
160.066	Distress Signal for Boats, Red Aerial Pyrotechnic Flare.	Day and Night ²	3

¹These signals require use in combination with a suitable launching device approved under 46 CFR 160.028.

²These devices may be either meteor or parachute assisted type. Some of these signals may require use in combination with a suitable launching device approved under 46 CFR 160.028.

³Must have manufacture date of 1 Oct. 1980 or later.

2. Amend § 175.135 by removing and reserving paragraph (a)(3) and adding paragraph (b) as follows:

§ 175.135 Existing equipment.

(a) * * *

(3) [Removed and reserved]

(b) Launchers manufactured before 1 January, 1981, which do not have approval numbers are acceptable for use with meteor or parachute signals listed