

40 CFR Part 262

[FRL-3454-8]

Hazardous Waste Management System; Standards for Generators of Hazardous Waste**AGENCY:** Environmental Protection Agency.**ACTION:** Final rule; Notice of extension of expiration date for the Uniform Hazardous Waste Manifest Form.

SUMMARY: The purpose of today's action is to extend the expiration date of the Uniform Hazardous Waste Manifest Form (EPA Forms 8700-22 and 8700-22A; 40 CFR Part 262) allowing its continued use from September 30, 1988 to December 31, 1988. This extension will allow the Agency time to include a new Office of Management and Budget (OMB) requirement for a burden disclosure statement (53 FR 16618; May 10, 1988); provide a modified form to the States and interested parties; and facilitate the transition to a new form by providing States that print their own manifests the time necessary to reproduce and distribute their new forms.

EFFECTIVE DATE: This extension is effective September 27, 1988.**ADDRESSES:** A copy of EPA's request for extension and documentation of OMB's approval of the extension may be obtained from Emily Roth (OS-332), U.S. EPA, 401 M Street SW., Washington, DC 20460.**FOR FURTHER INFORMATION CONTACT:**

For general information, contact the RCRA/Superfund Hotline toll-free at (800) 424-9346, or in Washington, DC call 382-3000. For information on specific aspects of today's notice, contact Emily Roth, (202) 382-4777, Office of Solid Waste (OS-332), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

SUPPLEMENTARY INFORMATION:**Basis for Extending the Uniform Hazardous Waste Manifest Form Expiration Date**

The Agency is extending the expiration date for the Uniform Hazardous Waste Manifest Form in order to: (1) Implement a new Office of Management and Budget burden disclosure statement requirement (53 FR 16618, May 10, 1988), (2) allow the Agency the time needed to provide the renewed form to the States and other interested parties, and (3) facilitate the transition to the renewed form by providing the States that print their own manifests the time necessary to reproduce and distribute their new

forms. The agency has good cause for making this extension effective immediately because the regulated community is currently using the form and, therefore, does not require a time period to comply with the change. The Agency will provide guidance on the inclusion of OMB's burden disclosure statement and renew the Uniform Hazardous Waste Manifest Form for a period of three years in a subsequent Federal Register notice.

On March 20, 1984, EPA promulgated a rule that required generators who transport, or offer for transportation, hazardous waste for offsite treatment, storage, or disposal to prepare a Manifest (OMB control number 2000-0404) according to the instructions included in the Appendix to Part 262 (49 FR 10501, March 20, 1984). On August 8, 1986, exporters of hazardous waste were required to comply with the manifest system (51 FR 28685, August 8, 1986). On October 1, 1986, the Uniform Hazardous Waste Manifest Form was revised to include a generator certification statement, a new OMB Number (2050-0039), and expiration date of September 30, 1988 (51 FR 35192, October 1, 1986).

Effective with today's notice, hazardous waste generators and transporters may continue to use their existing supplies of the Manifest Form (EPA Forms 8700-22 and 8700-22A) until December 31, 1988.

Dated: September 21, 1988.

Joseph Cannon,

Acting Assistant Administrator for Solid Waste and Emergency Response.

[FR Doc. 88-22031 Filed 9-26-88; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF TRANSPORTATION**Coast Guard****46 CFR Chs. I and III**

[CGD 88-071]

Authority Citation Update**AGENCY:** Coast Guard, DOT.**ACTION:** Final rule.

SUMMARY: This document updates authority citations in Parts 1 through 199 and 401 through 403. Many of these citations are no longer current because of recent legislative revisions. Providing updated authority citations will make it easier to understand the legal basis for issuing regulations to which the citations refer.

EFFECTIVE DATE: September 27, 1988.**FOR FURTHER INFORMATION CONTACT:** Mr. William Register, Office of Chief Counsel, (202) 267-1534.

SUPPLEMENTARY INFORMATION: In 1983, the Congress revised and consolidated many of the shipping laws in Title 46, United States Code (see Pub. L. 98-89). Because of these changes, many of the authority citations in Chapters I and III of Title 46, CFR are no longer current. The purpose of this document is to update the authority citations in Title 46, CFR in accordance with 1 CFR 21.41 which requires agency citations to be formally amended to reflect any changes.

Some of the updated citations in this document include references to laws and Executive Orders included in previous CFR citations but which were inadvertently deleted in subsequent amendments to those citations. Those references have been included in this document as measures taken to comply with the mandate in 1 CFR 21.40 that each citation be as complete as possible.

The citations in this document refer primarily to laws which specifically provide authority to issue regulations implementing substantive provisions of other laws. To facilitate the reader's understanding of this document, Table I below lists the updated citations and the principal subject matter of the substantive laws they implement.

TABLE I

Citation	General subject matter
5 U.S.C. 552	Administrative procedure.
14 U.S.C. 633	All matters applicable to the Coast Guard.
31 U.S.C. 9701	Fees charged for government services.
33 U.S.C. 151	Inland navigation rules.
33 U.S.C. 1321(j)	Water pollution prevention.
33 U.S.C. 1509	Deepwater port activities.
33 U.S.C. 1903	Prevention of pollution from ships.
42 U.S.C. 9118	Ocean thermal energy conversion facilities and plantships.
42 U.S.C. 9119	Ocean thermal energy conversion facilities and plantships.
42 U.S.C. 9153	Ocean thermal energy conversion facilities and plantships.
43 U.S.C. 1333	Outer continental shelf activities.
44 U.S.C. 3507	Public information collection activities.
46 U.S.C. 2103	Vessels and seamen generally.
46 U.S.C. 2113	Oceanographic vessels; exemptions.
46 U.S.C. 2306	Vessel reporting requirements.
46 U.S.C. 3102	Exposure suits.
46 U.S.C. 3306	Inspected vessels generally.
46 U.S.C. 3703	Tank vessels.
46 U.S.C. 4104	Uninspected vessels.
46 U.S.C. 4302	Recreational vessels.
46 U.S.C. 5115	Load lines.
46 U.S.C. 6101	Reporting of marine casualties.
46 U.S.C. 6301	Investigation of marine casualties.
46 U.S.C. 6305	Reporting of investigations of marine casualties.
46 U.S.C. 7101	Merchant marine officer licenses.
46 U.S.C. 7301	Merchant seamen documents.

TABLE I—Continued

Citation	General subject matter
46 U.S.C. 7701	Suspension and revocation of merchant marine licenses and documents.
46 U.S.C. 8105	Vessel manning.
46 U.S.C. 9303	Great Lakes pilotage.
46 U.S.C. 9304	Great Lakes pilotage.
46 U.S.C. 10104	Merchant seamen protection and relief.
46 U.S.C. 12115	Documentation of vessels; names of vessels.
46 U.S.C. 12121	Documentation of vessels.
46 U.S.C. 14102	Measurement of vessels.
46 U.S.C. App. Note Prec. § 1.	Waiver of compliance with navigation and inspection laws.
46 U.S.C. App. 876.	Documentation of vessels.
46 U.S.C. App. 983.	Recording and endorsing of vessel mortgages.
46 U.S.C. App. 1295g.	Maritime education and training; nautical school ships.
49 U.S.C. App. 1804.	Hazardous materials transportation.
49 U.S.C. App. 1903.	Investigation of major marine casualties.
E.O. 11735	Delegation of authority concerning water pollution prevention matters.
E.O. 12234	Delegation of authority to implement international convention relating to safety of life at sea.
46 CFR 1.45	Delegation of authority from DOT to USCG.
46 CFR 1.46	Delegation of authority from DOT to USCG.

The text of the regulations in Title 46, CFR also contains numerous references to laws which are no longer current. Certain of those references which relate to hazardous material matters have already been updated in a separate rulemaking project (CGD 86-033) published in the *Federal Register* of September 16, 1988 (53 FR 36022). Remaining textual references which need updating will be revised in an upcoming rulemaking project and, depending upon revisions made in that project, further updating of the authority citations to CFR parts in Title 46 may also be required.

This final rule simply updates authority citations to existing CFR parts and does not include substantive changes to regulatory text of existing regulations. Accordingly, a prior notice of proposed rulemaking pursuant to 5 U.S.C. 553 is unnecessary and has not been provided. Delaying the effective date of publication of this final rule is likewise unnecessary and, therefore, the rule is being made effective immediately upon publication.

This final rule is considered to be non-major under Executive Order 12291 and non-significant under the DOT regulatory policies and procedures (44 FR 11034, February 26, 1979). The economic impact of this final rule has

been found to be so minimal that further evaluation is unnecessary.

The principal persons involved in drafting this final rule were: Lieutenant Sam Watkins, and Mr. William Register, Office of the Chief Counsel.

Since this rulemaking simply updates authority citations, the Coast Guard certifies that the amendments will not have a significant economic impact on a substantial number of small entities.

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612 and it has been determined that this rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

In accordance with the foregoing, the authority citations in Chapters I and III of Title 46 of the code of Federal Regulations are amended as set forth below. For clarity in presentation, the authority citation for each part is being published even if it is not being revised in this document.

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER A—PROCEDURES APPLICABLE TO THE PUBLIC

PART 1—ORGANIZATION, GENERAL COURSE AND METHODS GOVERNING MARINE SAFETY FUNCTIONS

1. The authority citation for Part 1 continues to read as follows:

Authority: 5 U.S.C. 552; 14 U.S.C. 633; 46 U.S.C. 7701; 49 CFR 1.45, 1.46; Section 1.30 also issued under the authority of 44 U.S.C. 3507.

PART 2—VESSEL INSPECTIONS

2. The authority citation for Part 2 is revised to read as follows:

Authority: 33 U.S.C. 1903; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703, 5115, 8105; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46; Subpart 2.45 also issued under the authority of Act Dec. 27, 1950, ch. 1155, §§1, 2, 64 Stat. 1120 (see 46 U.S.C. App. note prec. 1).

PART 3—DESIGNATION OF OCEANOGRAPHIC RESEARCH VESSELS

3. The authority citation for Part 3 is revised to read as follows:

Authority: 46 U.S.C. 2113, 3306; 49 CFR 1.46.

PART 4—MARINE CASUALTIES AND INVESTIGATIONS

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

Authority: 43 U.S.C. 1333; 46 U.S.C. 2306, 6101, 6301, 6305; 49 CFR 1.46; except subpart

4.40 for which the authority is 49 U.S.C. App. 1903.

PART 5—MARINE INVESTIGATION REGULATIONS—PERSONNEL ACTION

5. The authority citation for Part 5 is revised to read as follows:

Authority: 46 U.S.C. 2103, 7101, 7301, 7701; 49 CFR 1.46.

PART 6—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS

6. The authority citation for Part 6 is revised to read as follows:

Authority: Act Dec. 27, 1950, ch. 1155, §§ 1, 2, 64 Stat. 1120 (see 46 U.S.C. App. note prec. 1); 49 CFR 1.46.

PART 7—BOUNDARY LINES

7. The authority citation for Part 7 is revised to read as follows:

Authority: 14 U.S.C. 633; 33 U.S.C. 151; 49 CFR 1.46.

PART 9—EXTRA COMPENSATION FOR OVERTIME SERVICES

8. The authority citation for Part 9 is revised to read as follows:

Authority: 46 U.S.C. 2103; 49 CFR 1.46.

SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

9. The authority citation for Part 10 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 2103, 7101, 7701, 8105; 46 U.S.C. App. 1295g; 49 CFR 1.45, 1.46; § 10.01-6 also issued under the authority of 44 U.S.C. 3507.

PART 12—CERTIFICATION OF SEAMEN

10. The authority citation for Part 12 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 7301, 7701, 8105, 10104; 49 CFR 1.46.

PART 14—SHIPMENT AND DISCHARGE OF SEAMEN

11. The authority citation for Part 14 is revised to read as follows and all other authority citations in the part are removed:

Authority: 5 U.S.C. 552; 46 U.S.C. 2103, 2113, 3306, 8105, 10104; 49 CFR 1.46.

PART 15—MANNING REQUIREMENTS

12. The authority citation for Part 15 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3703, 8105; 49 CFR 1.46.

SUBCHAPTER C—UNINSPECTED VESSELS**PART 24—GENERAL PROVISIONS**

13. The authority citation for Part 24 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 2113, 3306, 4104, 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 25—REQUIREMENTS

14. The authority citation for Part 25 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 4104, 4302; 49 CFR 1.46.

PART 26—OPERATIONS

15. The authority citation for Part 26 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 4104, 6101, 8105; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

SUBCHAPTER D—TANK VESSELS**PART 30—GENERAL PROVISIONS**

16. The authority citation for Part 30 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804; 49 CFR 1.45, 1.46; Section 30.01-2 also issued under the authority of 44 U.S.C. 3507.

PART 31—INSPECTION AND CERTIFICATION

17. The authority citation for Part 31 is revised to read as follows and all other authority citations in the part are removed:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 3703, 5115, 8105; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; 49 CFR 1.46.

PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

18. The authority citation for Part 32 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 33—LIFESAVING EQUIPMENT

19. The authority citation for Part 33 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3102, 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 34—FIREFIGHTING EQUIPMENT

20. The authority citation for Part 34 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 35—OPERATIONS

21. The authority citation for Part 35 is revised to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 3703, 6101; 49 U.S.C. App. 1804; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 36—ELEVATED TEMPERATURE CARGOES

22. The authority citation for Part 36 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 37—SPECIAL CONSTRUCTION, ARRANGEMENT, AND OTHER PROVISIONS FOR NUCLEAR VESSELS

23. The authority citation for Part 37 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 38—LIQUEFIED FLAMMABLE GASES

24. The authority citation for Part 38 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 40—SPECIAL CONSTRUCTION, ARRANGEMENT, AND OTHER PROVISIONS FOR CARRYING CERTAIN FLAMMABLE OR COMBUSTIBLE DANGEROUS CARGOES IN BULK

25. The authority citation for Part 40 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR 1980, Comp., p. 277; 49 CFR 1.46.

SUBCHAPTER E—LOAD LINES**PART 42—DOMESTIC AND FOREIGN VOYAGES BY SEA**

26. The authority citation for Part 42 is revised to read as follows:

Authority: 46 U.S.C. 5115; 49 CFR 1.45, 1.46; Section 42.01-5 also issued under the authority of 44 U.S.C. 3507.

PART 44—VARIANCE FOR CERTAIN VESSELS

27. The authority citation for Part 44 is revised to read as follows:

Authority: 46 U.S.C. 5115; 49 CFR 1.46.

PART 45—GREAT LAKES LOAD LINES

28. The authority citation for Part 45 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 5115; 49 CFR 1.46.

PART 46—SUBDIVISION LOAD LINES FOR PASSENGER VESSELS

29. The authority citation for Part 46 is revised to read as follows:

Authority: 46 U.S.C. 3306, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 47—COMBINATION LOAD LINES

30. The authority citation for Part 47 is revised to read as follows:

Authority: 46 U.S.C. 5115; 49 CFR 1.46.

SUBCHAPTER F—MARINE ENGINEERING**PART 50—GENERAL PROVISIONS**

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

Authority: 43 U.S.C. 1333; 46 U.S.C. 3306, 3703, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.45, 1.46; Section 50.01-20 also issued under the authority of 44 U.S.C. 3507.

PART 52—POWER BOILERS

32. The authority citation for Part 52 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 53—HEATING BOILERS

33. The authority citation for Part 53 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 54—PRESSURE VESSELS

34. The authority citation for Part 54 is revised to read as follows and all other authority citations in the part are removed:

Authority: 33 U.S.C. 1509; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 55—NUCLEAR POWERPLANT COMPONENTS

35. The authority citation for Part 55 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 56—PIPING SYSTEMS AND APPURTENANCES

36. The authority citation for Part 56 is revised to read as follows and all other authority citations in the part are removed:

Authority: 33 U.S.C. 1321(j), 1509; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703, 5115; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 57—WELDING AND BRAZING

37. The authority citation for Part 57 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 58—MAIN AND AUXILIARY MACHINERY AND RELATED SYSTEMS

38. The authority citation for Part 58 is revised to read as follows and all other authority citations in the part are removed:

Authority: 43 U.S.C. 1333; 46 U.S.C. 3306, 3703, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 59—REPAIRS TO BOILERS, PRESSURE VESSELS AND APPURTENANCES

39. The authority citation for Part 59 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 61—PERIODIC TESTS AND INSPECTIONS

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

Authority: 43 U.S.C. 1333; 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 62—VITAL SYSTEM AUTOMATION

41. The authority citation for Part 62 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703, 8105; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 63—CONTROL SYSTEMS FOR AUTOMATIC AUXILIARY HEATING EQUIPMENT

42. The authority citation for Part 63 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 64—MARINE PORTABLE TANKS

43. The authority citation for Part 64 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804; 49 CFR 1.46.

SUBCHAPTER G—DOCUMENTATION AND MEASUREMENT OF VESSELS

PART 67—DOCUMENTATION OF VESSELS

44. The authority citation for Part 67 is revised to read as follows:

Authority: 31 U.S.C. 9701; 42 U.S.C. 9118; 46 U.S.C. 12115, 12121; 46 U.S.C. App. 876, 983; 49 CFR 1.46.

PART 68—DOCUMENTATION OF VESSELS PURSUANT TO EXTRAORDINARY LEGISLATIVE GRANTS

45. The authority citation for Part 68 is revised to read as follows:

Authority: 46 U.S.C. App. 876; 49 CFR 1.46.

PART 69—MEASUREMENT OF VESSELS

46. The authority citation for Part 69 is revised to read as follows:

Authority: 46 U.S.C. 14102; 49 CFR 1.45, 1.46; Section 69.01-21 also issued under the authority of 44 U.S.C. 3507.

SUBCHAPTER H—PASSENGER VESSELS

PART 70—GENERAL PROVISIONS

47. The authority citation for Part 70 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804, E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.45, 1.46; Section 70.01-15 also issued under the authority of 44 U.S.C. 3507.

PART 71—INSPECTION AND CERTIFICATION

48. The authority citation for Part 71 is revised to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; 49 CFR 1.46.

PART 72—CONSTRUCTION AND ARRANGEMENT

49. The authority citation for Part 72 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 75—LIFESAVING EQUIPMENT

50. The authority citation for Part 75 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 76—FIRE PROTECTION EQUIPMENT

51. The authority citation for Part 76 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 77—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

52. The authority citation for Part 77 is revised to read as follows:

Authority: 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 78—OPERATIONS

53. The authority citation for Part 78 is revised to read as follows and all other authority citations in the part are removed:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 6101, 8105; 49 U.S.C. App. 1804; E.O. 11735, 38

FR 21243; 3 CFR, 1971-1975 Comp., p. 793; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 79—SPECIAL CONSTRUCTION, ARRANGEMENT, AND OTHER PROVISIONS AND NUCLEAR VESSELS

59. The authority citation for Part 79 is revised to read as follows:

Authority: 46 U.S.C. 3306; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 80—DISCLOSURE OF SAFETY STANDARDS AND COUNTRY OF REGISTRY

60. The authority citation for Part 80 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; 49 CFR 1.46.

SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS

PART 90—GENERAL PROVISIONS

61. The authority citation for Part 90 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 91—INSPECTION AND CERTIFICATION

62. The authority citation for Part 91 is revised to read as follows:

Authority: 46 U.S.C. 3306; 33 U.S.C. 1321(j); E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 3 CFR 1980 Comp., p. 277; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; 49 CFR 1.46.

PART 92—CONSTRUCTION AND ARRANGEMENT

63. The authority citation for Part 92 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 93—STABILITY

64. The authority citation for Part 93 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 94—LIFESAVING EQUIPMENT

65. The authority citation for Part 94 is revised to read as follows and all other

authority citations in the part are removed:

Authority: 46 U.S.C. 3102; 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 95—FIRE PROTECTION EQUIPMENT

66. The authority citation for Part 95 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 96—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

67. The authority citation for Part 96 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 97—OPERATIONS

68. The authority citation for Part 97 is revised to read as follows and all other authority citations in the part are removed:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 6101; 49 U.S.C. App. 1804; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 98—SPECIAL CONSTRUCTION, ARRANGEMENT, AND OTHER PROVISIONS FOR CERTAIN DANGEROUS CARGOES IN BULK

72. The authority citation for Part 98 is revised to read as follows and all other authority citations in the part are removed:

Authority: 33 U.S.C. 1903; 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 99—SPECIAL CONSTRUCTION, ARRANGEMENT, AND OTHER PROVISIONS FOR NUCLEAR VESSELS

73. The authority citation for Part 99 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 105—COMMERCIAL FISHING VESSELS DISPENSING PETROLEUM PRODUCTS

74. The authority citation for Part 105 is revised to read as follows and all other authority citations in the part are removed:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1804; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; 49 CFR 1.46.

PART 106—OCEAN THERMAL ENERGY CONVERSION FACILITIES AND PLANTSHIPS

75. The authority citation for Part 106 is revised to read as follows:

Authority: 42 U.S.C. 9118, 9119, 9153; 49 CFR 1.46.

SUBCHAPTER I-A—MOBILE OFFSHORE DRILLING UNITS

PART 107—INSPECTION AND CERTIFICATION

76. The authority citation for Part 107 is revised to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C. 3306, 5115; 49 CFR 1.45, 1.46; Section 107.05 also issued under the authority of 44 U.S.C. 3507.

PART 108—DESIGN AND EQUIPMENT

77. The authority citation for Part 108 is revised to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C. 3102, 3306, 5115; 49 CFR 1.46.

PART 109—OPERATIONS

78. The authority citation for Part 109 is revised to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C. 3306, 5115, 6101, 10104; 49 CFR 1.46.

SUBCHAPTER J—ELECTRICAL ENGINEERING

PART 110—GENERAL PROVISIONS

79. The authority citation for Part 110 is revised to read as follows:

Authority: 33 U.S.C. 1509; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703, 4104; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.45, 1.46; § 110.01-2 also issued under the authority of 44 U.S.C. 3507.

PART 111—ELECTRIC SYSTEMS—GENERAL REQUIREMENTS

80. The authority citation for Part 111 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703, 4104; 49 CFR 1.46.

PART 112—EMERGENCY LIGHTING AND POWER SYSTEMS

81. The authority citation for Part 112 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703, 4104; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 113—COMMUNICATION AND ALARM SYSTEMS AND EQUIPMENT

82. The authority citation for Part 113 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703, 4104; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

SUBCHAPTER N—DANGEROUS CARGOES**PART 146—TRANSPORTATION OR STORAGE OF MILITARY EXPLOSIVES ON BOARD VESSELS**

83. The authority citation for Part 146 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703; 49 U.S.C. App. 1904; 49 CFR 1.45, 1.46; Section 146.01-5 also issued under the authority of 44 U.S.C. 3507.

PART 147—REGULATIONS GOVERNING USE OF DANGEROUS ARTICLES AS SHIPS' STORES AND SUPPLIES ON BOARD VESSELS

84. The authority citation for Part 147 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 147A—INTERIM REGULATIONS FOR SHIPBOARD FUMIGATION

85. The authority citation for Part 147A is revised to read as follows:

Authority: 46 U.S.C. App. 1804; 49 CFR 1.46.

PART 148—CARRIAGE OF SOLID HAZARDOUS MATERIALS IN BULK

86. The authority citation for Part 148 is revised to read as follows:

Authority: 49 U.S.C. App. 1804; 49 CFR 1.46.

SUBCHAPTER O—CERTAIN BULK DANGEROUS CARGOES**PART 150—COMPATIBILITY OF CARGOES**

87. The authority citation for Part 150 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703; 49 CFR 1.45, 1.46; Section 150.105 also issued under the authority of 44 U.S.C. 3507.

PART 151—BARGES CARRYING BULK LIQUID HAZARDOUS MATERIAL CARGOES

88. The authority citation for Part 151 is revised to read as follows:

Authority: 33 U.S.C. 1903; 46 U.S.C. 3703; 49 CFR 1.46.

PART 153—SHIPS CARRYING BULK LIQUID, LIQUEFIED GAS, OR COMPRESSED GAS HAZARDOUS MATERIALS

89. The authority citation for Part 153 is revised to read as follows:

Authority: 46 U.S.C. 3703; 49 U.S.C. App. 1804; 33 U.S.C. 1903; 49 CFR 1.46.

PART 154—SAFETY STANDARDS FOR SELF-PROPELLED VESSELS CARRYING BULK LIQUEFIED GASES

90. The authority citation for Part 154 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 154a—SPECIAL INTERIM REGULATIONS FOR ISSUANCE OF LETTERS OF COMPLIANCE TO BARGES AND EXISTING LIQUEFIED GAS VESSELS

91. The authority citation for Part 154a is revised to read as follows:

Authority: 46 U.S.C. 3703; 49 CFR 1.46.

SUBCHAPTER Q—EQUIPMENT, CONSTRUCTION, AND MATERIALS: SPECIFICATIONS AND APPROVAL**PART 159—APPROVAL OF EQUIPMENT AND MATERIALS**

92. The authority citation for Part 159 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; 3703; 49 CFR 1.45, 1.46; Section 159.001-9 also issued under the authority of 44 U.S.C. 3507.

PART 160—LIFESAVING EQUIPMENT

93. The authority for Part 160 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703, 4104, 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 161—ELECTRICAL EQUIPMENT

94. The authority citation for Part 161 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703, 4104, 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 162—ENGINEERING EQUIPMENT

95. The authority citation for Part 162 is revised to read as follows and all other authority citations in the part

except the authority citation for Subpart 162.050, are removed:

Authority: 33 U.S.C. 1321(j); 1903; 46 U.S.C. 3306, 3703, 4104, 4302; E.O. 11735, 38 FR 21243, 3 CFR 1971-1975 Comp., p. 793; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 163—CONSTRUCTION

96. The authority citation for Part 163 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 164—MATERIALS

97. The authority citation for Part 164 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703, 4104, 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

SUBCHAPTER R—NAUTICAL SCHOOLS**PART 166—DESIGNATION AND APPROVAL OF NAUTICAL SCHOOL SHIPS**

98. The authority citation for Part 166 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 2103, 3306, 8105; 46 U.S.C. App. 1295g; 49 CFR 1.46.

PART 167—PUBLIC NAUTICAL SCHOOL SHIPS

99. The authority citation for Part 167 is revised to read as follows:

Authority: 46 U.S.C. 3306, 6101, 8105; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 168—CIVILIAN NAUTICAL SCHOOL VESSELS

100. The authority citation for Part 168 is revised to read as follows:

Authority: 46 U.S.C. 3306; 46 U.S.C. App. 1295g; 49 CFR 1.46.

PART 169—SAILING SCHOOL VESSELS

101. The authority citation for Part 169 is revised to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 5115, 6101; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; 49 CFR 1.45, 1.46; Section 169.117 also issued under the authority of 44 U.S.C. 3507.

SUBCHAPTER S—SUBDIVISION AND STABILITY**PART 170—STABILITY REQUIREMENTS FOR ALL INSPECTED VESSELS**

102. The authority citation for Part 170 is revised to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C. 3306, 3703, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 171—SPECIAL RULES PERTAINING TO VESSELS CARRYING PASSENGERS

103. The authority citation for Part 171 is revised to read as follows:

Authority: 46 U.S.C. 3306, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 172—SPECIAL RULES PERTAINING TO BULK CARGOES

104. The authority citation for Part 172 is revised to read as follows:

Authority: 46 U.S.C. 3306, 3703, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 173—SPECIAL RULES PERTAINING TO VESSEL USE

105. The authority citation for Part 173 is revised to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C. 2113, 3306, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 174—SPECIAL RULES PERTAINING TO SPECIFIC VESSEL TYPES

106. The authority citation for Part 174 is revised to read as follows:

Authority: 42 U.S.C. 9118, 9119, 9153; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

SUBCHAPTER T—SMALL PASSENGER VESSELS (UNDER 100 GROSS TONS)**PART 175—GENERAL PROVISIONS**

107. The authority citation for Part 175 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 3703, 5115, 8105; 49 U.S.C. App. 1804; 49 CFR 1.45, 1.46; Section 175.01-3 also issued under the authority of 44 U.S.C. 3507.

PART 176—INSPECTION AND CERTIFICATION

108. The authority citation for Part 176 is revised to read as follows and all other authority citations in the part are removed:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 8105; 49 U.S.C. App. 1804; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 177—CONSTRUCTION AND ARRANGEMENT

109. The authority citation for Part 177 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 5115; 49 CFR 1.46.

PART 180—LIFESAVING EQUIPMENT

110. The authority citation for Part 180 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 181—FIRE PROTECTION EQUIPMENT

111. The authority citation for Part 181 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; 49 CFR 1.46.

PART 182—MACHINERY INSTALLATION

112. The authority citation for Part 182 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; 49 CFR 1.46.

PART 183—ELECTRICAL INSTALLATION

113. The authority citation for Part 183 is revised to read as follows:

Authority: 46 U.S.C. 3306; 49 CFR 1.46.

PART 184—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

114. The authority citation for Part 184 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306; 49 CFR 1.46.

PART 185—OPERATIONS

115. The authority citation for Part 185 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 3306, 6101, 8105; 49 CFR 1.46.

SUBCHAPTER U—OCEANOGRAPHIC RESEARCH VESSELS**PART 188—GENERAL PROVISIONS**

116. The authority citation for Part 188 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 2113, 3306, 5115; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 189—INSPECTION AND CERTIFICATION

117. The authority citation for Part 189 continues to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 2113, 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; 49 CFR 1.46.

PART 190—CONSTRUCTION AND ARRANGEMENT

118. The authority citation for Part 190 is revised to read as follows:

Authority: 46 U.S.C. 2213, 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 192—LIFESAVING EQUIPMENT

119. The authority citation for Part 192 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 2213, 3306, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 193—FIRE PROTECTION EQUIPMENT

120. The authority citation for Part 193 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 2213, 3102, 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 194—HANDLING, USE AND CONTROL OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

121. The authority citation for Part 194 is revised to read as follows and all other authority citations in the part are removed:

Authority: 46 U.S.C. 2113, 3306; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 195—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

122. The authority citation for Part 195 is revised to read as follows:

Authority: 46 U.S.C. 2113, 3306; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

PART 196—OPERATIONS

123. The authority citation for Part 196 is revised to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 2113, 3306, 5115, 6101; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

SUBCHAPTER V—MARINE OCCUPATIONAL SAFETY AND HEALTH STANDARDS

PART 197—GENERAL PROVISIONS

124. The authority citation for Part 197 is revised to read as follows:

Authority: 33 U.S.C. 1509; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703, 6101; 49 CFR 1.46.

CHAPTER III—COAST GUARD (GREAT LAKES PILOTAGE), DEPARTMENT OF TRANSPORTATION

PART 401—GREAT LAKES PILOTAGE REGULATIONS

125. The authority citation for Part 401 is revised to read as follows:

Authority: 48 U.S.C. 6101, 7701, 8105, 9303, 9304; 49 CFR 1.45, 1.46; Section 401.105 also issued under the authority of 44 U.S.C. 3507.

PART 402—GREAT LAKES PILOTAGE RULES AND ORDERS

126. The authority citation for Part 402 is revised to read as follows:

Authority: 46 U.S.C. 8105, 9303, 9304; 49 CFR 1.46.

PART 403—GREAT LAKES PILOTAGE UNIFORM ACCOUNTING SYSTEM

126. The authority citation for Part 403 is revised to read as follows:

Authority: 46 U.S.C. 8105, 9303, 9304; 49 CFR 1.46.

Dated: September 16, 1988.

J.E. Vorbach,
Chief Counsel.

[FR Doc. 88-21973 Filed 9-26-88; 8:45 am]
BILLING CODE 4910-14-M

46 CFR Parts 31, 70, 90, 107, 153 and 188

[CGD 88-070]

Editorial Changes Reflecting Recent Coast Guard Reorganization; Correction

AGENCY: Coast Guard, DOT.

ACTION: Final rule; correction.

SUMMARY: The Coast Guard is correcting errors to zip codes which

appear in rule document 88-070 published on September 7, 1988 at 53 FR 34532.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Don M. Wrye; (202) 267-1534.

In rule document 88-070 beginning on page 34532 in the issue of Wednesday, September 7, 1988, make the following corrections:

PARTS 31, 70, 90, 107 AND 188—[CORRECTED]

1. In the following amendatory instructions of rule document 88-070, on the page number indicated for the issue dated Wednesday, September 7, 1988, for the sections of Title 46, Chapter I, the zip code "07654" is removed and the zip code "07653-910" is added in its place at: amendatory instruction 15, page 34533, § 31.10-1(b); amendatory instruction 29, page 34534, § 70.35-5; amendatory instruction 32, page 34534, § 90.35-5; amendatory instruction 38, page 34534, § 107.115(b)(1); and amendatory instruction 139, page 34538, § 188.35(a).

PART 153—[CORRECTED]

2. In amendatory instruction 48 of rule document 88-070, on page 34535 of the issue dated Wednesday, September 7, 1988, for § 153.9, the zip code "20593-0001" is removed and the zip code "20593-0100" is added in its place.

Dated: September 19, 1988.

J. E. Vorbach,
Chief Counsel.

[FR Doc. 88-21974 Filed 9-26-88; 8:45 am]
BILLING CODE 4910-14-M

46 CFR Parts 146 and 147

[CGD 88-072]

OMB Control Numbers Reporting and Recordkeeping Requirements; Correction

AGENCY: Coast Guard, DOT.

ACTION: Final rule; correction.

SUMMARY: The Coast Guard is correcting errors in its document publishing paperwork management control numbers assigned for Title 46, CFR, by the Office of Management and Budget (OMB) appearing at 53 FR 34296 on September 6, 1988.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Don M. Wrye, (202) 267-1534.

SUPPLEMENTARY INFORMATION: In rule document 88-072 published at 53 FR 34296 on September 6, 1988, the Coast Guard misnumbered the control number

section for 46 CFR Part 147. This error was due to a revision of Part 147, which changed the section numbering throughout the Part, appearing at 53 FR 7749 on March 10, 1988. The correction to the section number for Part 147 will also require a correction to the control number display section appearing at 46 CFR 146.01-5(b), which was amended in the March 10, 1988 revision of Part 147 to contain the OMB control number assigned for Part 147.

In consideration of the foregoing, the following corrections adding language amending the display section in 46 CFR 146.01-5(b), and correcting the section number for the entry for Part 147 are made to rule document 88-072 published at 53 FR 34296 on September 6, 1988.

PART 146—[AMENDED]

§ 146.01-5 [Amended]

1. In the heading of the table displayed in § 146.01-5(b), the words "Subchapter N" are removed, and the words "46 CFR" are added in their place. The entry for Part 147 and its corresponding OMB control number are removed.

PART 147—[CORRECTED]

2. In rule document 88-072 published at 53 FR 34296 on September 6, 1988, in amendatory instruction 6, amending Part 147, on pages 34297 and 34298, the number 147.01-8 is removed in both places where it appears and the number 147.8 is added in its place.

Dated: September 19, 1988.

J. E. Vorbach,
Chief Counsel.

[FR Doc. 88-21975 Filed 9-26-88; 8:45 am]
BILLING CODE 4910-14-M

Maritime Administration

46 CFR Part 326

RIN 2133-AA51

Marine Protection and Indemnity Insurance Under Contracts With Agents

AGENCY: Maritime Administration, DOT.
ACTION: Final rule.

SUMMARY: This final rule revises regulations under which Protection and Indemnity (P&I) insurance is made available for vessels in the National Defense Reserve Fleet (NDRF), which includes the Ready Reserve Force (RRF) vessels. This rule omits all obsolete references to commercial underwriters and reflects that MARAD is now

providing self insurance for P&I coverage of NDRF vessels, including RRF vessels, which are assigned under contract to "Agents" (which term includes, General Agents, Berth Agents, Service Agreement Contractors and Ship Managers). It also explains how Agents should report claims and establishes the procedure under which Agents may settle P&I claims when in the best interests of the United States.

EFFECTIVE DATE: October 27, 1988.

FOR FURTHER INFORMATION CONTACT:

Edmond J. Fitzgerald, Director, Office of Trade Analysis and Insurance, Maritime Administration, Department of Transportation, 400 Seventh Street SW., Washington, DC.

SUPPLEMENTARY INFORMATION: On May 14, 1986, MARAD published in the Federal Register (51 FR 7659) a notice of proposed rulemaking (NPRM) that would amend its regulations on the responsibility for obtaining P&I insurance for vessels in the NDRF. The NPRM inadvertently omitted any reference to Berth Agents and referred to the vessel operators as General Agents. This reference included the traditional General Agents and the Service Agreement contractors that had been assigned RRF ships over the past decade. Since that time, MARAD has adopted a Ship Manager Contract for the operation and maintenance of its RRF vessels. Accordingly, as used in this final rule, the term "Agent" includes Ship Managers, traditional General Agents, Berth Agents and Service Agreement contractors.

The NPRM discussed MARAD's responsibility to preserve and maintain all vessels placed in the NDRF (50 U.S.C. 17434). Since MARAD acts as "owner" of these NDRF vessels, it enters into contracts with Agents. All these contracts require the Agent to assist the Government in processing claims for injury to persons or property arising out of the maintenance and operation of the vessel.

This final rule reflects MARAD's current practice of self-insuring all P&I risks with respect to the operation and maintenance of all NDRF vessels that are under contracts with Agents, consistent with P&I insurance provisions set forth in other MARAD regulations (46 CFR Part 315). It also preserves MARAD's option of engaging a commercial underwriter.

The 60 day comment period for the NPRM expired on July 14, 1986. The sole comment received by MARAD was from Interocean Management Corporation (IOM). IOM addressed the appropriate dollar limit on the settlement authority of an Agent, without prior MARAD

approval. The NPRM proposed \$3,000 as a reasonable upper limit for this claims settlement authority. IOM believes the \$3,000 figure to be inadequate, as it would only cover a vessel's liability for the most minor costs of injuries, i.e., a single month's unearned wages, overtime and vacation benefits for an ordinary seaman. Specifically, IOM submits that in a \$3,000 settlement, the salary compensation alone would total almost \$2,000. It would allocate the remaining \$1,000 for legal fees, assuming that the attorney will receive one-third of the settlement amount.

IOM further suggests that the \$3,000 authorized settlement limit would not allow payment of an additional \$240 cost (\$8/day for 30 days) for maintenance due to the seaman's inability to work during the month. In order to make it worthwhile for the Agent to effect a settlement that would relieve MARAD of the administrative burden for a particular claim and use the Agent's expertise, IOM proposes that the minimum settlement authority should be \$7,500. IOM concludes that this figure would allow a payment to the seaman of up to \$5,000 for lost wages and related compensation, without regard to maintenance and cure payments that might be at issue, and up to \$2,500 for attorney's fees. (The term "maintenance and cure" refers to the maritime practice that holds a shipowner to be responsible, irrespective of fault, for providing subsistence and care for a seaman who accidentally falls ill or is injured while in the service of the vessel.)

IOM's comments prompted MARAD to analyze its history of nonlitigated settlements for personal injury claims covered by P&I insurance for the two fiscal years ended September 30, 1986 and 1987. During this period, MARAD has authorized its Agents to settle fourteen claims. MARAD has analyzed these settlements by dollar population intervals of \$0 to \$3,000, \$3,001 to \$5,000, and above \$5,000. Four of these settled claims were within the \$0 to \$3,000 range, four were within the \$3,001 to \$5,000 and six claims were greater than \$5,000. In recognition of this experience, as well as its objective to reduce its administrative burden and to avail itself of the expertise of Agents in evaluating and disposing of routine P&I insurance claims, MARAD provides in the final rule for Agents to have settlement authority of \$5,000 for routine P&I claims.

MARAD is not adopting IOM's proposal that settlement authority be increased to \$7,500 in order to allow for legal fees. The amount of legal fees is a matter between a claimant and his or

her counsel. To fix a settlement limit that has a built-in component for attorney's fees could encourage inflated settlements. A \$5,000 settlement limit would provide for unearned wages, repatriation expenses (where appropriate) and other expenses routinely paid to seamen, which are the usual components of a settlement. This increased settlement authority is subject to the condition that Agents may settle claims up to \$5,000 only when it is in the best interests of the United States. Prior to executing a settlement agreement, the Agent is required to notify MARAD of the offer to be tendered in order to assure the availability of funds. MARAD reviews settlements on a quarterly basis.

E.O. 12291 Statutory and DOT Requirements

MARAD has determined that this final rule is neither major, as defined in E.O. 12291, nor significant under DOT regulatory policies and procedures (44 FR 11034; February 26, 1979). The rule merely formalizes the present arrangement between MARAD and Agents concerning the responsibility for providing P&I insurance and handling incidents of a P&I nature. This longstanding practice is reflected in contractual provisions. MARAD has not placed P&I insurance with underwriters since 1971 and is unaware of any other persons with an economic interest in this rulemaking. There would be no shifting of significant cost burdens between the Agents and MARAD with respect to insurance. MARAD has always paid the full cost of P&I insurance premiums when policies were issued by a commercial underwriter. When Agents were responsible for placing the insurance, they merely had to contract the designated underwriter to arrange P&I insurance for specific vessels. MARAD has already contracted with the underwriters to insure NDRF vessels.

The adoption of this rule reflects that MARAD has realized savings through electing to self-insure for P&I risks, rather than paying an annual P&I insurance premium. The estimated savings in insurance premiums would average about \$250,000 per vessel, during peacetime, in the present insurance market. This estimated \$250,000 annual premium rate is based upon insuring a single typical cargo vessel in the NDRF for a liability limit of \$100,000,000 per accident, with a \$25,000 deductible, and is exclusive of war risk P&I insurance coverage.

During the period for which MARAD reviewed its P&I claim settlement, only

five vessels were activated, all from the RRF. MARAD's claims experience as a self-insurer over the past decade has been limited, due to the small number of vessels and claims involved, and has been favorable. Based on MARAD's recent claims experience, the average annual amount of P&I claims settled, on a per vessel basis, was \$9,200. Since this amount was within the typical "deductibles" limit of \$25,000 for commercial P&I insurance coverage for a single vessel, in no case did MARAD incur a cost that would have been paid by insurance if it had obtained P&I insurance from an underwriter. However, this experience does not preclude the possibility of the Government absorbing claims and expenses in excess of the estimated savings in insurance premiums.

Accordingly, the economic impact has been found to be so minimal that further evaluation is not necessary. Since this rule has application to and effect only on MARAD and Agents that are usually of substantial size, the Maritime Administrator certifies that it will not exert a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*). The existing rule contains information reporting requirements in §§ 326.4 through 326.7. Since the respondents are agents of the United States, pursuant to their contracts with MARAD, and the collected information is not "used for general and statistical purposes," this is not a "collection of information" (5 CFR 1320.7) requiring OMB approval, pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612 and it has been determined that this final rule has no federalism implication that warrants the preparation of a federalism assessment.

List of Subjects in 46 CFR Part 326

Claims, Insurance, Seamen.

Accordingly, 46 CFR Part 326 is revised to read as follows:

PART 326—MARINE PROTECTION AND INDEMNITY INSURANCE UNDER AGREEMENTS WITH AGENTS

Sec.	
326.1	Purpose.
326.2	Insurer.
326.3	Insured.
326.4	Reports of Accidents and occurrences.
326.5	Report of claims.
326.6	Settlement of claims.
326.7	Litigation.

Authority: 50 U.S.C. App. 1744; 46 U.S.C. 121a; 1114(b); 49 CFR 1.66.

§ 326.1 Purpose.

This part states that the Maritime Administration (MARAD) shall be responsible for providing or obtaining marine protection and indemnity (P&I) insurance for any vessel that has been placed in the National Defense Reserve Fleet (NDRF), which includes the Ready Reserve Force component, which vessel is assigned under a General Agency Agreement. These various forms of Agreements are entered into by the United States, acting by and through the National Shipping Authority, MARAD, and a private company (Agent). An agreement also contains procedures for the Agent to report accidents and occurrences of a P&I nature to MARAD and to report and settle P&I claims.

§ 326.2 Insurer.

MARAD shall be responsible for providing or obtaining P&I insurance for all vessels assigned to Agents under an Agreement. At its election, MARAD may be a self-insurer of any one or more vessels covered by the Agreement, or may obtain P&I insurance coverage under one or more policies written by underwriters of marine insurance. MARAD shall determine the amount of coverage to be provided or obtained.

§ 326.3 Insured.

The insureds are: The United States of America, acting by and through the Director, National Shipping Authority, Maritime Administration, Department of Transportation, and its Agents (including Agents' employees). Sub-agents shall be insureds only as expressly provided in the Agreement. Independent contractors of the Agents are not insureds.

§ 326.4 Reports of Accidents and occurrences.

The Agent shall report every accident or occurrence of a P&I nature promptly to both the Director, Office of Trade Analysis and Insurance, Maritime Administration, 500 Seventh Street, SW., Room 8121, Washington, DC 20590, Tel. (202) 366-1461, and the contracting officer named in the Agreement. If MARAD has obtained P&I insurance through a marine insurance underwriter, the Agent also shall concurrently file a report of such accident or occurrence with the underwriter. MARAD shall disclose full details as the identity of such underwriter to the Agent.

§ 326.5 Report of claims.

The Agent also shall submit a quarterly report of all claims of a P&I insurance nature to the Director, Office of Trade Analysis and Insurance. The report shall contain all relevant

information, e.g., the names of the vessels and of the claimant, the date of the injury or occurrence, the amount claimed, the basis for any payments already disbursed in behalf of the United States, estimated future costs and an evaluation of the claim of the merits.

§ 326.6 Settlement of claims.

(a) After ascertaining from MARAD the availability of funds, the Agent is authorized to settle individual claims of a P&I insurance nature that do not exceed \$5,000. For a settlement in excess of \$5,000, the Agent shall obtain MARAD's prior approval through the Director, Office of Trade Analysis and Insurance. If MARAD has placed the P&I insurance with an insurance underwriter, the Agent also shall obtain the prior approval of the underwriter to settle claims.

(b) The amount of individual claims that do not exceed the Agent's limit for settlement shall be chargeable by the Agent to the vessel expense and shall be accounted for in accordance with current accounting instructions of MARAD.

(c) When settling any such claim, the Agent shall advise the claimant that such settlement shall be accounted for in accordance with current accounting instructions, and shall also advise the claimant that such settlement is not to be construed as an admission of liability by or on behalf of the United States, the Agent or any other person.

(d) The Agent shall apply sound judgment and follow standard practices of vessel operators in the settlement or other disposition of such P&I insurance claims, and shall settle such claims only when the settlement is adequately supported by all the facts and circumstances and is in the best interest of the United States.

§ 316.7 Litigation.

(a) If a court suit of a P&I nature is filed which arises out of the activities of the Agent under its Agreement, wherein the Agent is named as the party defendant or one of the parties' defendant irrespective of whether the risk is covered by P&I insurance, the Agent shall immediately forward copies of the pleading and all other related legal documents, by first class mail, to the Chief Counsel, Maritime Administration, Department of Transportation, Washington, DC 20590, and to the Attorney General, Attn: Civil Division, Torts Branch, Department of Justice, Washington, DC 20530. No agent or authorized subagent shall incur any legal expenses in connection with any

claim of a P&I nature, unless approved in advance by MARAD, and by the underwriter, where applicable. However, the Agent may incur legal expenses if the mission of the vessel will be frustrated or impeded and/or time will not permit such prior approval.

(b) In the event of any attachment or seizure of a vessel, whether or not the risk is of a P&I nature, the Agent shall immediately notify the Chief Counsel, Maritime Administration, Washington, DC 20590, Tel. (202) 366-05711, by telegram, radio, or cable.

By order of the Maritime Administrator.
Dated: September 22, 1988.

Joel C. Richard,
Assistant Secretary.

[FR Doc. 88-22101 Filed 9-26-88; 8:45 am]

BILLING CODE 4910-81-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 87-431; RM-5767; RM-5819]

Radio Broadcasting Services; Cottonwood, AZ

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 289A to Cottonwood, Arizona, as that community's second local FM services, as requested by KVRD, Inc. (RM-5767). A second proposal at Cottonwood to substitute Channel 240C for Channel 240A and to modify the license of Station KSMK(FM), as requested by Central Broadcasting Company (RM-5819) will be treated in a separate document since that proponent's preferred site is in conflict with the site specified by Station KQZE-FM, Channel 239C, St. Johns, Arizona, thus requiring additional information from each. Reference coordinates for Channel 289A are 34-44-42 and 112-01-24. With this action, the proceeding is terminated with respect to RM-5767 only.

DATES: Effective November 7, 1988; the window period for filing applications on Channel 289A at Cottonwood, Arizona, will open on November 8, 1988, and close on December 8, 1988.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau (202) 634-6530, concerning the allotment. Questions related to the window application filing process should be addressed to the Audio Services Division, FM Branch, Mass Media Bureau (202) 632-0394.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's First Report and Order, MM Docket No. 87-431, adopted August 18, 1988, and released September 21, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments, is amended under Arizona, by adding Channel 289A at Cottonwood.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division,
Mass Media Bureau.

[FR Doc. 88-22054 Filed 9-26-88; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 87-440; RM-5921]

Radio Broadcasting Services; Pukalani, HI

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 252C2 for Channel 252A at Pukalani, Hawaii, and modifies the license for Station KMVI-FM at the request of the licensee, Obie Broadcasting of Maui, Inc., to provide for a first wide coverage area station at coordinates 20-42-19 and 156-21-54. With this action this proceeding is terminated.

EFFECTIVE DATE: November 7, 1988.

FOR FURTHER INFORMATION CONTACT: Nancy J. Walls, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 87-440, adopted August 18, 1988, and released September 21, 1988. The full text of this Commission decision is available for inspection and copying during normal

business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments is amended for Hawaii by adding Channel 252C2 at Pukalani and removing Channel 252A.

Steve Kaminer,

Deputy Chief, Policy and Rules Division,
Mass Media Bureau.

[FR Doc. 88-22058 Filed 9-26-88; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 87-613; RM-6055]

Radio Broadcasting Services; Jenkins, KY

AGENCY: Federal Communications Commission.

ACTION: Final Rule.

SUMMARY: This document substitutes Channel 232C2 for Channel 232A at Jenkins, Kentucky, and modifies the Class A license for Station WIFX(FM) to specify Channel 232C2, as requested, thereby providing that community with its first wide coverage area FM service. The coordinates for Channel 232C2 at Jenkins, Kentucky are 37-09-00 and 82-46-30. With this action, this proceeding is terminated.

EFFECTIVE DATE: November 7, 1988.

FOR FURTHER INFORMATION CONTACT: Nancy J. Walls, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 87-613, adopted August 2, 1988, and released September 21, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service (202)