

Dated: June 17, 1996.
For the Commission,
Gilbert F. Casellas,
Chairman.

Accordingly, 29 CFR Part 1602 is amended as follows:

PART 1602—[AMENDED]

1. The authority citation for part 1602 continues to read as follows:

Authority: 42 U.S.C. 2000e-8, 2000e-12, 44 U.S.C. 3501 *et seq.*; 42 U.S.C. 12117.

§ 1602.41 Requirement for filing and preserving copy of report.

2. Section 1602.41 is amended as follows:

(a) In the introductory text, in the first sentence, delete the phrase “and individual schools within such systems or district”.

(b) In the concluding text, in the first sentence, delete the phrase, “, or the individual school which is the subject of the report where more convenient,”.

3. Section 1602.43 is revised to read as follows:

§ 1602.43 Commission's remedy for school systems' or districts' failure to file report.

Any school system or district failing or refusing to file report EEO-5 when required to do so may be compelled to file by order of a U.S. district court, upon application of the Commission or the Attorney General.

4. Section 1602.44 is revised to read as follows:

§ 1602.44 School systems' or districts' exemption from reporting requirements.

If it is claimed that the preparation or filing of the report would create undue hardship, the school system or district may apply to the Commission for an exemption from the requirements set forth in this part by submitting to the Commission or its delegate a specific proposal for an alternative reporting system prior to the date on which the report is due.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 1, 2, 5, 8, 19, 20, 26, 45, 51, 67, 81, 89, 110, 114, 116, 117, 127, 140, 141, 144, 148, 151, 153, 154, 155, 156, 157, 158, 159, 160, 164, 165, 174, 179, 181, 183, and 187

[CGD 96-026]

RIN 2115 AF33

Technical Amendments; Organizational Changes; Miscellaneous Editorial Changes and Conforming Amendments

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This rule amends Title 33, Code of Federal Regulations to reflect recent agency organizational changes. It also makes editorial changes throughout the title to correct addresses, update cross-references, remove obsolete regulatory provisions, and make other technical corrections. This rule will have no substantive effect on the regulated public.

EFFECTIVE DATE: This rule is effective on June 30, 1996.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Executive Secretary, Marine Safety Council (G-LRA/3406), U.S. Coast Guard Headquarters, 2100 Second Street SW., room 3406, Washington, DC 20593-0001 between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

FOR FURTHER INFORMATION CONTACT: Janet Walton, Project Manager, Office of Standards Evaluation and Development (G-MSR-2), (202) 267-0257.

SUPPLEMENTARY INFORMATION:

Background and Purpose

Each year Title 33 of the Code of Federal Regulations (CFR) is recodified on July 1. This rule makes miscellaneous editorial changes and conforming amendments, including changes brought about by the Coast Guard Headquarters reorganization, to be included in the 1996 recodification of Title 33.

Discussion of Changes

Coast Guard Headquarters recently went through a comprehensive streamlining and reorganization. The substantive functions it performs are essentially unchanged; however, many functions have been consolidated. This rule reflects the redistribution of

functions and responsibilities due to the reorganization.

The rule also makes editorial changes throughout the title to correct addresses, update cross-references, and make other technical corrections.

Sections 157.03, 159.3, 181.3, and 183.3 are being reformatted by reorganizing the definitions into alphabetical order and removing paragraph designators.

Section 165.T01-005 expired on May 1, 1994 and section 165.702 expired on December 31, 1991. These regulations are no longer needed and are being removed.

In addition the safety zone in § 165.1112 was originally established to protect Navy cables and equipment on the ocean floor which could have been damaged by anchoring, fishing, and similar activities. The Navy equipment has been removed and this safety zone is no longer required and is being removed.

Since this amendment relates to departmental management; organization; procedure; and practice, notice and comment on it are unnecessary and it may be made effective in fewer than 30 days after publication in the Federal Register. Therefore, this final rule is effective June 30, 1996.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This rule involves internal agency practices and procedures, it will not impose any costs on the public.

Collection of Information

This rule contains no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have significant federalism implications

to warrant the preparation of a Federalism Assessment.
Environment

The Coast Guard considered the environmental impact of this rule and concluded that under paragraph 2.B.2 of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation. This exclusion is in accordance with paragraphs 2.B.2.e.(34) (a) and (b), concerning regulations that are editorial or procedural and concerning internal agency functions or organization. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects

33 CFR Part 1

Administrative practice and procedure, Authority delegations (Government agencies), Freedom of information, Penalties.

33 CFR Part 2

Administrative practice and procedure, Law enforcement.

33 CFR Part 5

Volunteers.

33 CFR Part 8

Armed forces reserves.

33 CFR Part 19

Navigation (water), Vessels.

33 CFR Part 20

Administrative practice and procedure, Authority delegations (Government agencies), Penalties, Water pollution control, Waterways.

33 CFR Part 26

Communications equipment, Marine safety, Radio, Telephone, Vessels.

33 CFR Part 45

Military personnel, Reporting and recordkeeping requirements.

33 CFR Part 51

Administrative practice and procedure, Military personnel.

33 CFR Part 67

Continental shelf, Navigation (water), Reporting and recordkeeping requirements.

33 CFR Part 81

Navigation (water), Reporting and recordkeeping requirements, Treaties.

33 CFR Part 89

Navigation (water), Reporting and recordkeeping requirements, Waterways.

33 CFR Part 110

Anchorage grounds.

33 CFR Part 114

Bridges.

33 CFR Part 116

Bridges.

33 CFR Part 117

Bridges.

33 CFR Part 127

Fire prevention, Harbors, Natural gas, Reporting and recordkeeping requirements, Security measures.

33 CFR Part 140

Continental shelf, Investigations, Marine safety, Occupational safety and health, Penalties, Reporting and recordkeeping.

33 CFR Part 141

Citizenship and naturalization, Continental shelf, Employment, Reporting and recordkeeping.

33 CFR Part 144

Continental shelf, Marine safety, Occupational safety and health.

33 CFR Part 148

Administrative practice and procedure, Environmental protection, Harbors, Petroleum.

33 CFR Part 151

Administrative practice and procedure, Oil pollution, Penalties, Reporting and recordkeeping requirements, Water pollution control.

33 CFR Part 153

Hazardous substances, Oil pollution, Reporting and recordkeeping requirements, Water pollution control.

33 CFR Part 154

Fire prevention, Hazardous substances, Oil pollution, Reporting and recordkeeping requirements.

33 CFR Part 155

Hazardous substances, Oil pollution, Reporting and recordkeeping requirements.

33 CFR Part 156

Hazardous substances, Oil pollution, Reporting and recordkeeping requirements, Water pollution control.

33 CFR Part 157

Cargo vessels, Oil pollution, Reporting and recordkeeping requirements.

33 CFR Part 158

Administrative practice and procedure, Harbors, Oil pollution, Penalties, Reporting and recordkeeping requirements, Water pollution control.

33 CFR Part 159

Sewage disposal, Vessels.

33 CFR Part 160

Administrative practice and procedure, Harbors, Hazardous materials transportation, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Vessels, Waterways.

33 CFR Part 164

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

33 CFR Part 174

Intergovernmental relations, Marine safety, Reporting and recordkeeping requirements.

33 CFR Part 179

Marine safety, Reporting and recordkeeping requirements.

33 CFR Part 181

Labeling, Marine safety, Reporting and recordkeeping requirements.

33 CFR Part 183

Marine safety.

33 CFR Part 187

Marine safety, Reporting and recordkeeping requirements, Administrative practice and procedure.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR parts 1, 2, 5, 8, 19, 20, 26, 45, 51, 67, 81, 89, 110, 114, 116, 117, 127, 140, 141, 144, 148, 151, 153, 154, 155, 156, 157, 158, 159, 160, 164, 165, 174, 179, 181, 183, and 187 as follows:.

PART 1—GENERAL PROVISIONS

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

Authority: 14 U.S.C. 633; 33 U.S.C. 401, 491, 525, 1321, 2716, and 2716a; 46 U.S.C. 9615; 49 U.S.C. 322; 49 CFR 1.45(b), 1.46; section 1.01–70 also issued under the authority of E.O. 12580, 3 CFR, 1987 Comp.,

p. 193; and sections 1.01–80 and 1.01–85 also issued under the authority of E.O. 12777, 3 CFR, 1991 Comp., p. 351.

§ 1.01–60 [Amended]

2. In § 1.01–60, in paragraph (a), remove the words “Office of Navigation and Waterway Services,” and add, in their place, the word “Operations.”

§ 1.05–1 [Amended]

3. In § 1.05–1, in paragraph (g), remove the words “Office of Navigation Safety and Waterway services, and the Chief, Office of Marine Safety, Security, and Environmental Protection” and add, in their place, the words “Operations, and the Chief, Marine Safety and Environmental Protection.”

§ 1.10–5 [Amended]

4. In § 1.10–5, in paragraph (a), remove the words “Commandant (GA), U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593” and add, in their place, the words “Chief, Office of Information Management, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001”; and in paragraph (c), remove the words “Commandant (GA)” and add, in their place, the words “Chief, Office of Information Management.”

§ 1.26–5 [Amended]

5. In § 1.26–5, in paragraph (b), remove the word “(G–PS–5),” and add, in their place, the word “(G–WPM–3),”.

§§ 1.01–70 and 1.01–80 [Amended]

6. In addition to the amendments set forth above, in 33 CFR part 1, remove the words “Office of Marine Safety, Security and Environmental Protection” and add, in their place, the words “Marine Safety and Environmental Protection” in the following places:

- (a) Section 1.01–70(b); and
- (b) Section 1.01–80(b).

PART 2—JURISDICTION

7. The authority citation for part 2 continues to read as follows:

Authority: 14 U.S.C. 633, 80 Stat. 931 (49 U.S.C. 1655(b)); 49 CFR 1.4(b), 1.46(b).

§ 2.05–1 [Amended]

8. In § 2.05–1, in paragraph (c), remove the number “82” and add, in its place, the number “80”.

§ 2.05–20 [Amended]

9. In § 2.05–20, in paragraph (b), remove the number “82” and add, in its place, the number “80”.

PART 5—COAST GUARD AUXILIARY

10. The authority citation for part 5 continues to read as follows:

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

11. In § 5.01, paragraph (j) is revised to read as follows:

§ 5.01 Definitions

* * * * *

(j) *Secretary* means the Secretary of Transportation when the Coast Guard operates in the Department of Transportation or the Secretary of the Navy when the Coast Guard operates as part of the Navy.

* * * * *

PART 8—UNITED STATES COAST GUARD RESERVE

12. the authority citation for part 8 continues to read as follows:

Authority: 14 U.S.C. 633.

13. Section 8.3 is revised to read as follows:

§ 8.3 Organization of the Coast Guard Reserve.

(a) The Coast Guard Reserve is organized, trained and equipped under the direction of the Commandant.

(b) The Director of Reserve and Training is responsible for the overall administration and supervision of the Reserve.

(c) In Atlantic Area, Integrated Support Commands have responsibility for local Reserve issues; however, in Pacific Area, responsibility for local Reserve issues remains with District Commanders.

(d) Most Coast Guard Reservists are fully integrated into active duty Coast Guard units. There, Reservists perform the same duties and have the same responsibilities as their active duty counterparts. Their integrated work prepares Reservists to perform the duties of their mobilization assignments while at the same time providing assistance to the active service. Some Reservists are assigned to dedicated Reserve units where they train and mobilize in support of national defense operations.

14. Section 8.5 is revised to read as follows:

§ 8.5 Regulations for the Coast Guard Reserve.

(a) Regulations for the Coast Guard Reserve are established by the Commandant.

(b) Permanent regulations are published in Coast Guard publications and manuals and include the following:

- (1) Coast Guard Regulations.
- (2) Coast Guard Organization Manual.
- (3) Coast Guard Reserve Administration and Training Manual.
- (4) Personnel Manual.
- (5) Recruiting Manual.

(6) Military Justice Manual.

(7) Comptroller Manual.

(c) Temporary regulations and orders affecting Reservists are included in instructions or notices in the Coast Guard directives system.

(d) Other regulations that affect the Reserve are located in Department of Defense and Department of the Navy regulations in Title 32 of the Code of Federal Regulations.

15. Section 8.7 is revised to read as follows:

§ 8.7 Information.

(a) Information concerning the Coast Guard Reserve may be obtained from Commandant (G–WTR), U.S. Coast Guard Headquarters, Washington, DC 20593–0001.

(b) Information and requirements for enlistment in the Coast Guard Reserve or concerning the procurement of officers for the Coast Guard Reserve can be obtained from the following offices:

(1) Any Coast Guard Recruiting Office.

(2) Coast Guard Recruiting Center, 4200 Wilson Boulevard, Suite 450, Arlington, VA 22203.

PART 19—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS¹

16. The authority citation for part 19 continues to read as follows:

Authority: Sec. 1, 64 Stat. 1120, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. note prec. 1, 49 U.S.C. 1655(b)(1); 49 CFR 1.4(a)(2).

§ 19.06 [Amended]

17. In § 19.06, in paragraphs (b) and (d), remove the word “(G–MVI),” and add, in its place, the word “(G–MOC),”.

PART 20—CLASS II CIVIL PENALTIES

18. The authority citation for part 20 continues to read as follows:

Authority: 33 U.S.C. 1321; 42 U.S.C. 9609; 49 CFR 1.46.

§ 20.102 [Amended]

19. In § 20.102, all paragraph designators are removed.

PART 26—VESSEL BRIDGE-TO-BRIDGE RADIOTELEPHONE REGULATIONS

20. The authority citation for part 26 continues to read as follows:

Authority: 14 U.S.C. 2; 33 U.S.C. 1201–1208; 49 CFR 1.45(b), 1.46; Rule 1, International Regulations for the Prevention of Collisions at Sea.

¹ Also codified as 46 CFR part 6.

§ 26.08 [Amended]

21. In § 26.08, in paragraph (a), remove the words "Office of Navigation Safety and Waterway Services," and add, in their place, the words "Marine Safety and Environmental Protection,"; and in paragraph (c) introductory text, remove the words, "Office of Navigation Safety and Waterway Services," and add, in their place, the words "Marine Safety and Environmental Protection,".

PART 45—ENLISTMENT OF PERSONNEL

22. The authority citation for part 45 continues to read as follows:

Authority: 14 U.S.C. 351, 371; 49 CFR 1.46(b).

§§ 45.1 and 45.2 [Amended]

23. In 33 CFR part 45, remove the words "Commandant (G-PMR), U.S. Coast Guard, Washington, DC 20593." and add, in their place, the words "Coast Guard Recruiting Center, 4200 Wilson Boulevard, Suite 450, Arlington, VA 22203." in the following places:

- (a) Section 45.1(b); and
- (b) Section 45.2.

PART 51—COAST GUARD DISCHARGE REVIEW BOARD

24. The authority citation for part 51 continues to read as follows:

Authority: 10 U.S.C. 1553.

§ 51.4 [Amended]

25. In § 51.4, all paragraph designators are removed.

§ 51.9 [Amended]

26. In § 51.9, in paragraph (b), remove the word " (G-PE/44)" and add, in its place, the word "(G-WPM),".

PART 67—AIDS TO NAVIGATION ON ARTIFICIAL ISLANDS AND FIXED STRUCTURES

27. The authority citation for part 67 continues to read as follows:

Authority: 14 U.S.C. 85, 633; 43 U.S.C. 1333; 49 CFR 1.46.

§ 67.10–25 [Amended]

28. In § 67.10–25, in paragraph (a), remove the words "U.S. Coast Guard Short Range Aids to Navigation Division," and add, in their place, the words "the Office of Aids to Navigation, U.S. Coast Guard Headquarters,".

PART 81—72 COLREGS: IMPLEMENTING RULES

29. The authority citation for part 81 is revised to read as follows:

Authority: 33 U.S.C. 1607; E.O. 11964; 49 CFR 1.46.

§ 81.18 [Amended]

30. In § 81.18, in paragraph (b), remove the words "the Office of Navigation Safety and Waterway Services," and add, in their place, the words "Marine Safety and Environmental Protection,".

PART 89—INLAND NAVIGATION RULES: IMPLEMENTING RULES

31. The authority citation for part 89 continues to read as follows:

Authority: 33 U.S.C. 2071; 49 CFR 1.46(n)(14).

§ 89.18 [Amended]

32. In § 89.18, in paragraph (a), remove the words "Office of Navigation Safety and Waterway Services," and add, in their place, the words "Chief, Marine Safety and Environmental Protection,".

PART 110—ANCHORAGE REGULATIONS

33. The authority citation for part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 2071; 49 CFR 1.46 and 33 CFR 1.05–1(g). Section 110.1a and each section listed in it are also issued under 33 U.S.C. 1233 and 1231.

§ 110.128b [Amended]

34. In § 110.128b, in paragraphs (a) and (b), add the words "(Datum: OHD)" following the last sentence.

§ 110.128c [Amended]

35. In § 110.128c, redesignate paragraph (a) as introductory text, and add the words "(Datum: OHD)" following the last sentence.

§ 110.224 [Amended]

36. In § 110.224, the section heading, and in table 110.224(d)(1) in paragraph (d)(2), the entry for Anchorage No. 19 are revised, and Note i following the table is removed and reserved, to read as follows:

§ 110.224 San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, Sacramento River, San Joaquin River, and connecting waters, CA.

* * * * *

(d) * * *

TABLE 110.224(d)(1)

Anchorage No.	General location	Purpose	Specific regulations
19	do	do	Note b.
*	*	*	*

Notes: * * *

i. [Reserved]

* * * * *

§§ 110.236 and 110.237 [Amended]

37. In addition to the amendments set forth above, in 33 CFR part 110, add the words "(Datum: OHD)" following the last sentence in the paragraph in the following places:

- (a) Section 110.236 (a)(1), (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), and (a)(7); and
- (b) Section 110.237(a).

PART 114—GENERAL

38. The authority citation for part 114 is revised to read as follows:

Authority: 33 U.S.C. 401, 491, 499, 521, 525, and 535; 14 U.S.C. 633; 49 U.S.C. 1655(g); 49 CFR 1.46(c).

§ 114.01 [Amended]

39. In § 114.01, in paragraphs (a)(2) and (c)(2) add the word "unreasonably" immediately before the word "obstructive".

§ 114.05 [Amended]

40. In § 114.05, paragraph (l), in both the paragraph heading and text, remove the words "Office of Navigation Safety and Waterway Services" and add, in their place, the word "Operations".

§ 114.50 [Amended]

41. In § 114.50, remove the words "Office of Navigation Safety and Waterway Services," and add, in their place, the words "Chief, Office of Bridge Administration,".

PART 116—ALTERATION OF UNREASONABLY OBSTRUCTIVE BRIDGES

42. The authority citation for part 116 continues to read as follows:

Authority: 33 U.S.C. 401, 521; 49 U.S.C. CFR 1.4, 1.46(c).

§ 116.55 [Amended]

43. In § 116.55, in paragraphs (a) and (b), remove the words "Bridge Administration Division" and add, in their place, the words "Office of Bridge Administration"; and remove the words "Office of Navigation Safety and Waterway Services" and add, in their place, the word "Operations".

§ 116.10, 116.15, 116.20, 116.25, 116.30, 116.35, 116.40, and 116.45 [Amended]

44. In addition to the amendment set forth above, in 33 CFR part 116, remove the words "Bridge Administration Division" and add, in their place, the words "Office of Bridge Administration" in the following places:

- (a) Section 116.10(c);
- (b) Section 116.15 (a), (c), and (d);
- (c) Section 116.20 (a) and (b);

- (d) Section 116.25(a);
 (e) Section 116.30 section heading, paragraphs (a), (d), (e), and (g);
 (f) Section 116.35(c);
 (g) Section 116.40 (a), (b), and (c); and
 (h) Section 116.45 (a) and (b).

PART 117—DRAWBRIDGE OPERATION REGULATIONS

45. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

§ 117.15 [Amended]

46. In § 117.15, in paragraph (a)(3), remove the word “part” and add, in its place, the word “party”.

§ 117.17 [Amended]

47. In § 117.17, in the text, remove the word “part” and add, in its place, the word “pass”.

§ 117.47 [Amended]

48. In § 117.47, in the section heading and paragraph (a), remove the word “gages” and add, in its place, the word “gauges”; and in the note at the end of

the section, remove the word “gage” and add, in its place, the word “gauge”.

49. In § 117.1051, paragraph (e)(2)(i) is revised to read as follows:

§ 117.1051 Lake Washington Ship Canal.

* * * * *

(e) * * *

(2) * * *

(i) The draw need not open from 7 a.m. to 9 a.m. and from 3:30 p.m. to 6 p.m.

* * * * *

50. In 33 CFR part 117, in Appendix A, the entries for the state of California are revised to read as follows:

APPENDIX A TO PART 117—DRAWBRIDGES EQUIPPED WITH RADIOTELEPHONES

Waterway	Mile	Location	Bridge name and owner	Call sign	Calling channel	Working channel
* * * * *						
California						
Carquinez Strait	7.0	Martinez	Southern Pacific RR	KQ 7193	16	14
Cerritos Channel	4.8	Long Beach	Henry Ford (Badger) Avenue, Port of Los Angeles.	WHX 947	16	13
Channel Street	4.9	Long Beach	Schuyler Heim, CA DOT	KXJ 749	16	13
	0	San Francisco ...	3rd Street, San Francisco	WXY 959	16	9
	0.2	San Francisco ...	4th Street, San Francisco	WXY 970	16	9
Connection Slough	2.5	Mandeville Island	South Real Estate Company.	WHV 225	16	9
Cordelia Slough	1.5	Benicia	Southern Pacific RR	KA 98642	16	9
Georgianna Slough	4.5	Isleton	Tyler Island, Sacramento Co.	WHU 246	16	9
Islais Creek	12.4	Walnut Grove	Georgianna Sl, Sacramento, Co.	WHU 254	16	9
	0.4	San Francisco ...	3rd Street, San Francisco	WXY 977	16	9
	1.0	Terminous	Potato Slough, CA DOT, SR12.	KSK 278	16	9
Little Potato Slough	8.6	Bacon Island	Bacon Island, San Joaquin Co.	WBE 8326	16	9
Middle River	3.0	Isleton	Mokelumne, CA DOT, SR12.	KMJ 382	16	9
Mokelumne River	12.1	Walnut Grove	Millers Ferry, Sacramento, Co.	WBE 8326	16	9
Napa River	2.8	Vallejo	Mare Island Causeway, Navy.	Military license only, No FCC..	16	13
Oakland Inner Harbor Tidal Canal	5.2	Oakland	Park Street, Alameda County.	WHX 996	16	9
	5.6	Oakland	Fruitvale Avenue, Alameda County.	WQB 330	16	9
	6.0	Oakland	High Street, Alameda County.	WHX 488	16	9
Old River	10.4	Orwood	Santa Fe Railroad Bridge	WHU 322	16	9
Pacheco Creek	14.8	Victoria Island ...	Victoria Island, CA DOT ...	KXE 301	16	9
	1.1	Martinez	Avon, Southern Pacific RR.	KA 97324	16	6
Petaluma River	13.7	Petaluma	D Street Bridge, Petaluma	WQX 644	16	9
Sacramento River	12.8	Rio Vista	Rio Vista, CA DOT, SR12	KMJ 384	16	9
	15.7	Isleton	Isleton, CA DOT, SR160	KMJ 383	16	9
	26.7	Walnut Grove	Walnut Grove, Sacto Co., SR E–13.	KMJ 491	16	9
	33.4	Paintersville	Paintersville, CA DOT, SR160.	KMJ 381	16	9
	46.0	Freeport	Freeport Sacto Co., SR E–9.	KMJ 490	16	9
	59.0	Sacramento	Tower Bridge, CA DOT	KDO 739	16	9
San Leandro Bay	59.4	Sacramento	I Street Southern Pacific RR.	WHW 554	16	9
	0	Alameda	Bay Farm Island, CA DOT	WHX 870	16	9

APPENDIX A TO PART 117—DRAWBRIDGES EQUIPPED WITH RADIOTELEPHONES—Continued

Waterway	Mile	Location	Bridge name and owner	Call sign	Calling channel	Working channel
Steamboat Slough	11.2	Courtland	Steamboat Slough, CA DOT, SR160.	WHX 295	16	9
Three Mile Slough	0.1	Rio Vista	Three Mile Slough, CA DOT, SR160.	KMJ 385	16	9
Turner Cut	2.3	McDonald Island	Zuckerman Bros. Br, Delta Farms.	WHV 959	16	9
*	*	*	*	*	*	*

PART 127—LIQUEFIED NATURAL GAS WATERFRONT FACILITIES

51. The authority citation for part 127 continues to read as follows:

Authority: 33 U.S.C. 1231; 49 CFR 1.46.

§ 127.003 [Amended]

52. In § 127.003, in paragraph (a), remove the word “(G-MTH),” and add, in its place, the word “(G-MOC),”; and in paragraph (b), under the entry for National Fire Protection Association, before the words “Batterymarch Park” add the number “1”.

§ 127.015 [Amended]

53. In § 127.015, in paragraphs (c)(1) and (d), remove the words “Office of Marine Safety, Security and Environmental Protection” and add, in their place, the words “Marine Safety and Environmental Protection”.

PART 140—GENERAL

54. The authority citation for part 140 continues to read as follows:

Authority: 43 U.S.C. 1333(d)(1), 1348(c), 1356; 49 CFR 1.46.

§ 140.7 [Amended]

55. In § 140.7, in paragraph (a), remove the words “Merchant Vessel Inspection and Documentation Division (G-MVI),” and add, in their place, the words “Office of Compliance (G-MOC),”; and in paragraph (b) under American National Standards Institute, remove the words “1430 Broadway, New York, NY 10018” and add, in their place, the words “11 West 42nd Street, New York, NY 10036”.

§ 140.15 [Amended]

56. In § 140.15, paragraph (b), remove the words “Coast Guard Publication CG-190, “Equipment Lists” and add, in their place, the words “COMDTINST M16714.3 (Series) Equipment List” and remove the word “(G-MVI),” and add, in its place, the word “(G-MSE),”.

PART 141—PERSONNEL

57. The authority citation for part 141 is revised to read as follows:

Authority: 43 U.S.C. 1356; 49 CFR 1.46(z).

§ 141.20 [Amended]

58. In § 141.20, in paragraph (c), remove the word “(G-MVP),” and add, in its place, the word “(G-MOC),”.

PART 144—LIFESAVING APPLIANCES

59. The authority citation for part 144 continues to read as follows:

Authority: 43 U.S.C. 1333d; 46 U.S.C. 3102(a); 46 CFR 1.46.

§ 144.30-5 [Amended]

60. In § 144.30-5, in paragraph (a), remove the word “(G-MVI),” and add, in its place, the word “(G-MSE),”.

PART 148—GENERAL

61. The authority citation for part 148 continues to read as follows:

Authority: Secs. 5(a), 5(b), Pub. L. 93-627, 88 Stat. 2131 (33 U.S.C. 1504(a), (b)); 49 CFR 1.46(s).

§§ 148.211 and 148.217 [Amended]

62. In 33 CFR part 148, remove the words “Office of Marine Safety, Security and Environmental Protection” and add, in their place, the words “Marine Safety and Environmental Protection” in the following places:

- (a) Section 148.211 introductory text; and
- (b) Section 148.217(a).

PART 151—VESSELS CARRYING OIL, NOXIOUS LIQUID SUBSTANCES, GARBAGE, MUNICIPAL OR COMMERCIAL WASTE, AND BALLAST WATER

63. The authority citation for part 151 continues to read as follows:

Authority: 33 U.S.C. 1321(j)(1)(C) and 1903(b); E.O. 12777; 3 CFR, 1991 Comp. p. 351; 49 CFR 1.46.

§ 151.1012 [Amended]

64. In § 151.1012, in paragraph (a), remove the word “(G-MPS-1),” and add, in its place, the word “(G-MOC),”.

§ 151.1021 [Amended]

65. In § 151.1021, in paragraphs (b)(1) and (c), remove the words “Office of

Marine Safety, Security and Environmental Protection” and add, in their place, the words “Marine Safety and Environmental Protection”.

§ 151.27 and 151.28 [Amended]

66. In addition to the amendments set forth above, in 33 CFR part 151, remove the word “(G-MEP-6)” and add, in its place, the word “(G-MOR)” in the following places:

- (a) Section 151.27(b); and
- (b) Section 151.28(a), (b), and (c).

PART 153—CONTROL OF POLLUTION BY OIL AND HAZARDOUS SUBSTANCES, DISCHARGE REMOVAL

67. The authority citation for part 153 continues to read as follows:

Authority: 14 U.S.C. 633; 33 U.S.C. 1321; 42 U.S.C. 9615; E.O. 12580, 3 CFR, 1987 Comp., p. 193; E.O. 12777, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.45 and 1.46.

§ 153.103 [Amended]

68. In § 153.103, in paragraph (d), remove the words “Office of Marine Safety, Security and Environmental Protection” and add, in their place, the words “Marine Safety and Environmental Protection”.

PART 154—FACILITIES TRANSFERRING OIL OR HAZARDOUS MATERIAL IN BULK

69. The authority citation for part 154 continues to read as follows:

Authority: 33 U.S.C. 1231, 1321(j)(1)(C), (j)(5), (j)(6) and (m)(2); sec. 2, E.O. 12777, 56 FR 54757; 49 CFR 1.46. Subpart F is also issued under 33 U.S.C. 2735.

§ 154.106 [Amended]

70. In § 154.106, in paragraph (b), under the entry American National Standards Institute, remove the words “1430 Broadway, New York, NY 10018” and add, in their place, the words “11 West 42nd Street, New York, NY 10036”; and under the entry for National Fire Protection Association, before the words “Batterymarch Park” add the number “1”.

§ 154.108 [Amended]

71. In § 154.108, in paragraphs (a) and (d), remove the words "Office of Marine Safety, Security and Environmental Protection" and add, in their place, the words "Marine Safety and Environmental Protection".

§ 154.1075 [Amended]

72. In § 154.1075, in paragraph (d), remove the word "(G-MEP)," and add, in its place, the word "(G-MOR)."

Appendix C, Part 154 [Amended]

73. In 33 CFR part 154, in Appendix C, in paragraph 6.3.2, remove the word "(G-MEP-6)," and add, in its place, the word "(G-MOR)."

§§ 154.800, 154.802, 154.806, 154.822, 154.826, 154.828, and Appendix A [Amended]

74. In addition to the amendments set forth above, in 33 CFR part 154, remove the word "(G-MTH)" and add, in its place, the word "(G-MSO)" in the following places:

- (a) Section 154.800(b);
- (b) Section 154.802, in the definition of *certifying entity*;
- (c) Section 154.806(a), (b), (d), and the note at the end of the section;
- (d) Section 154.822(a)(2) and (b);
- (e) Section 154.826(a)(3);
- (f) Section 154.828(a)(3); and
- (g) Appendix A to part 154, introductory text.

PART 155—OIL OR HAZARDOUS MATERIAL POLLUTION PREVENTION REGULATIONS FOR VESSELS

75. The authority citation for part 155 continues to read as follows:

Authority: 33 U.S.C. 1231, 1321(j); 46 U.S.C. 3715; sec. 2, E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

§ 155.140 [Amended]

76. In § 155.140, in paragraph (a), remove the words "Marine Environmental Protection Division (G-MEP), room 2100," and add, in their place the words "Office of Compliance (G-MOC)."; and in paragraph (b), under the entry for Oil Companies International Marine Forum, remove the words "6th Floor, Portland House, Stag Place, London SW1E 5BH England" and add, in their place, the words "15th Floor, 96 Victoria Street, London SW1E 5JW England".

§ 155.1035 [Amended]

77. In § 155.1035, in paragraph (b)(5)(i), remove the word "G-MOS-4" and add, in its place, the word "G-MSO-4".

§ 155.1065 [Amended]

78. In § 155.1065, in paragraph (a), remove the word "(G-MRO)," and add, in its place, the word "(G-MOR)."

§ 155.1070 [Amended]

79. In § 155.1070, paragraph (f), remove the words "Office of Marine Safety and Environmental Protection," and add, in their place, the words "Marine Safety and Environmental Protection,".

Appendix B to Part 155 [Amended]

80. In 33 CFR part 155, in Appendix B to the part, in paragraph 6.5, remove the word "(G-MRO)" and add, in its place, the word "(G-MOR)".

PART 156—OIL AND HAZARDOUS MATERIAL TRANSFER OPERATIONS

81. The authority citation for part 156 continues to read as follows:

Authority: 33 U.S.C. 1231, 1321(j)(1)(C) and (D); 46 U.S.C. 3703a. Subparts B and C are also issued under 46 U.S.C. 3715.

§ 156.110 [Amended]

82. In § 156.110, in paragraphs (a) and (d), remove the words "Office of Marine Safety, Security and Environmental Protection," and add, in their place, the words "Marine Safety and Environmental Protection,".

§ 156.111 [Amended]

83. In § 156.111, in paragraph (a), remove the words "Marine Environmental Protection Division (G-MEP), room 2100," and add, in their place the words "Office of Compliance (G-MOC)."

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

84. The authority citation for part 157 continues to read as follows:

Authority: 33 U.S.C. 1903; 46 U.S.C. 3703, 3703a (note); 49 CFR 1.46. Subpart G is issued under section 4115(b), Pub. L. 101-380, 104 Stat. 520.

85. Section 157.03 is revised to read as follows:

§ 157.03 Definitions.

Except as otherwise stated in a subpart:

Amidships means the middle of the length.

Ballast voyage means the voyage that a tank vessel engages in after it leaves the port of final cargo discharge.

Breadth or B means the maximum molded breadth of a vessel in meters.

Cargo tank length means the length from the forward bulkhead of the

forwardmost cargo tanks, to the after bulkhead of the aftermost cargo tanks.

Center tank means any tank inboard of a longitudinal bulkhead.

Clean ballast means ballast which:

(1) If discharged from a vessel that is stationary into clean, calm water on a clear day, would not—

(i) Produce visible traces of oil on the surface of the water or on adjoining shore lines; or

(ii) Cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shore lines; or

(2) If verified by an approved cargo monitor and control system, has an oil content that does not exceed 15 p.m.

Combination carrier means a vessel designed to carry oil or solid cargoes in bulk.

Crude oil means any liquid hydrocarbon mixture occurring naturally in the earth, whether or not treated to render it suitable for transportation, and includes crude oil from which certain distillate fractions may have been removed, and crude oil to which certain distillate fractions may have been added.

Deadweight or DWT means the difference in metric tons between the lightweight displacement and the total displacement of a vessel measured in water of specific gravity 1.025 at the load waterline corresponding to the assigned summer freeboard.

Dedicated clean ballast tank means a cargo tank that is allocated solely for the carriage of clean ballast.

Domestic trade means trade between ports or places within the United States, its territories and possessions, either directly or via a foreign port including trade on the navigable rivers, lakes, and inland waters.

Double bottom means watertight protective spaces that do not carry any oil and which separate the bottom of tanks that hold any oil within the cargo tank length from the outer skin of the vessel.

Double hull means watertight protective spaces that do not carry any oil and which separate the sides, bottom, forward end, and aft end of tanks that hold any oil within the cargo tank length from the outer skin of the vessel as prescribed in § 157.10d.

Doublesides means watertight protective spaces that do not carry any oil and which separate the sides of tanks that hold any oil within the cargo tank length from the outer skin of the vessel.

Existing vessel means means any vessel that is not a new vessel.

Foreign trade means any trade that is not domestic trade.

From the nearest land means means from the baseline from which the

territorial sea of the United States is established in accordance with international law.

Inland vessel means a vessel that is not oceangoing and that does not operate on the Great Lakes.

Instantaneous rate of discharge of oil content means the rate of discharge of oil in liters per hour at any instant, divided by the speed of the vessel in knots at the same instant.

Integrated tug barge means a tug and a tank barge with a mechanical system that allows the connection of the propulsion unit (the tug) to the stern of the cargo carrying unit (the tank barge) so that the two vessels function as a single self-propelled vessel.

Large primary structural member includes any of the following:

- (1) Web frames.
- (2) Girders.
- (3) Webs.
- (4) Main brackets.
- (5) Transverses.
- (6) Stringers.

(7) Struts in transverse web frames when there are 3 or more struts and the depth of each is more than $\frac{1}{15}$ of the total depth of the tank.

Length or *L* means the distance in meters from the fore side of the stem to the axis of the rudder stock on a waterline at 85 percent of the least molded depth measured from the molded baseline, or 96 percent of the total length on that waterline, whichever is greater. In vessels designed with drag, the waterline is measured parallel to the designed waterline.

Lightweight means the displacement of a vessel in metric tons without cargo, oil fuel, lubricating oil, ballast water, fresh water, and feedwater in tanks, consumable stores, and any persons and their effects.

Major conversion means a conversion of an existing vessel that:

- (1) Substantially alters the dimensions or carrying capacity of the vessel, except a conversion that includes only the installation of segregated ballast tanks, dedicated clean ballast tanks, a crude oil washing system, double sides, a double bottom, or a double hull;
- (2) Changes the type of vessel;
- (3) Substantially prolongs the vessel's service life; or
- (4) Otherwise so changes the vessel that it is essentially a new vessel, as determined by the Commandant (G-MOC).

MARPOL Protocol means the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973, done at London on February 17, 1978. This Protocol incorporates and modifies the International Convention for the

Prevention of Pollution from Ships, 1973, done at London on November 2, 1973.

New vessel means:

- (1) A U.S. vessel in domestic trade that:
 - (i) Is constructed under a contract awarded after December 31, 1974;
 - (ii) In the absence of a building contract, has the keel laid or is at a similar stage of construction after June 30, 1975;
 - (iii) Is delivered after December 31, 1977; or
 - (iv) Has undergone a major conversion for which:
 - (A) The contract is awarded after December 31, 1974;
 - (B) In the absence of a contract, conversion is begun after June 30, 1975; or
 - (C) Conversion is completed after December 31, 1977; and
- (2) A foreign vessel or a U.S. vessel in foreign trade that:
 - (i) Is constructed under a contract awarded after December 31, 1975;
 - (ii) In the absence of a building contract, has the keel laid or is at a similar stage of construction after June 30, 1976;
 - (iii) Is delivered after December 31, 1979; or
 - (iv) Has undergone a major conversion for which:
 - (A) The contract is awarded after December 31, 1975;
 - (B) In the absence of a contract, conversion is begun after June 30, 1976; or
 - (C) Conversion is completed after December 31, 1979.

Oceangoing has the same meaning as defined in § 151.05 of this chapter.

Oil means oil of any kind or in any form including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil. This includes liquid hydrocarbons as well as animal and vegetable oils.

Oil fuel means any oil used as fuel for machinery in the vessel in which it is carried.

Oil spill response vessel means a vessel that is exclusively dedicated to operations to prevent or mitigate environmental damage due to an actual or impending accidental oil spill. This includes a vessel that performs routine service as an escort for a tank vessel, but excludes a vessel that engages in any other commercial activity, such as the carriage of any type of cargo.

Oil tanker means a vessel that is constructed or adapted primarily to carry crude oil or products in bulk as cargo. This includes a tank barge, a tankship, and a combination carrier, as

well as a vessel that is constructed or adapted primarily to carry noxious liquid substances in bulk as cargo and which also carries crude oil or products in bulk as cargo.

Oil mixture means a mixture with any oil content.

Permeability of a space means the ratio of the volume within a space that is assumed to be occupied by water to the total volume of that space.

Product means any liquid hydrocarbon mixture in any form, except crude oil, petrochemicals, and liquefied gases.

Segregated ballast means the ballast water introduced into a tank that is completely separated from the cargo oil and oil fuel system and that is permanently allocated to the carriage of ballast.

Slop tank means a tank specifically designated for the collection of cargo drainings, washings, and other oil mixtures.

Tank means an enclosed space that is formed by the permanent structure of a vessel, and designed for the carriage of liquid in bulk.

Tank barge means a tank vessel not equipped with a means of self-propulsion.

Tank vessel means a vessel that is constructed or adapted primarily to carry, or that carries, oil or hazardous material in bulk as cargo or cargo residue, and that—

- (1) Is a vessel of the United States;
- (2) Operates on the navigable waters of the United States; or
- (3) Transfers oil or hazardous material in a port or place subject to the jurisdiction of the United States. This does not include an offshore supply vessel, or a fishing vessel or fish tender vessel of not more than 750 gross tons when engaged only in fishing industry.

Tankship means a tank vessel propelled by mechanical power or sail. *Wing tank* means a tank that is located adjacent to the side shell plating.

§ 157.06 [Amended]
85a. In § 157.06, in paragraph (c), remove the words "Office of Merchant Marine Safety" and add, in their place, the words "Marine Safety and Environmental Protection", each time they appear in the paragraph.

§ 157.06 and 157.306 [Amended]
86. In addition to the amendments set forth above, in 33 CFR part 157, remove the words "Office of Marine Safety, Security and Environmental Protection" and add, in their place, the words "Marine Safety and Environmental Protection" in the following places:

- (a) Section 157.06(c);

- (b) Section 157.06(d); and
(c) Section 157.306(a).

§§ 157.04, 157.24a, 157.102, 157.110, 157.144, 157.147, 157.202, 157.208, 157.302, and 157.306 [Amended]

87. In addition to the amendments set forth above, in 33 CFR part 157, remove the word “(G-MVI)” and add, in its place, the word “(G-MOC)” in the following places:

- (a) Section 157.04(b) and (d)(5);
- (b) Section 157.24a (b)(1) and (c)(1);
- (c) Section 157.102 introductory text;
- (d) Section 157.110 introductory text;
- (e) Section 157.144(a);
- (f) Section 157.147(a);
- (g) Section 157.202 introductory text;
- (h) Section 157.208 introductory text;
- (i) Section 157.302(a); and
- (j) Section 157.306(c).

PART 158—RECEPTION FACILITIES FOR OIL, NOXIOUS LIQUID SUBSTANCES, AND GARBAGE

88. The authority citation for part 158 continues to read as follows:

Authority: 33 U.S.C. 1903(b); 49 CFR 1.46.

89. Section 158.140(a)(2) is revised to read as follows:

§ 158.140 Applying for a Certificate of Adequacy.

- (a) * * *
- (1) * * *

(2) An applicant for a Certificate of Adequacy required by section 158.135(c) must apply on Form C to the COTP of the Zone in which the or terminal is located.

* * * * *

§ 158.160 [Amended]

90. In § 158.160, in paragraph (c) introductory text, remove the words “Commandant (G-MPS-1) or”.

§ 158.190 [Amended]

91. In § 158.190, in paragraphs (c)(1) and (d), remove the words “Office of Marine Safety, Security and Environmental Protection” and add, in their place, the words “Marine Safety and Environmental Protection”.

PART 159—MARINE SANITATION DEVICES

92. The authority citation for part 159 continues to read as follows:

Authority: Sec. 312(b)(1), 86 Stat. 871 (33 U.S.C. 1322(b)(1)); 49 CFR 1.45(b) and 1.46 (l) and (m).

93. Section 159.3 is revised to read as follows:

§ 159.3 Definitions.

In this part:

Coast Guard means the Commandant or his authorized representative.

Discharge includes, but is not limited to, any spilling, leaking, pouring, pumping, emitting, emptying, or dumping.

Existing vessel includes any vessel, the construction of which was initiated before January 30, 1975.

Fecal coliform bacteria are those organisms associated with the intestine of warm-blooded animals that are commonly used to indicate the presence of fecal material and the potential presence of organisms capable of causing human disease.

Inspected vessel means any vessel that is required to be inspected under 46 CFR Ch. I.

Manufacturer means any person engaged in manufacturing, assembling, or importing of marine sanitation devices or of vessels subject to the standards and regulations promulgated under section 312 of the Federal Water Pollution Control Act.

Marine sanitation device and *device* includes any equipment for installation on board a vessel which is designed to receive, retain, treat, or discharge sewage, and any process to treat such sewage.

New vessel includes any vessel, the construction of which is initiated on or after January 30, 1975.

Person means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel.

Public vessel means a vessel owned or bare-boat chartered and operated by the United States, by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce.

Recognized facility means any laboratory or facility listed by the Coast Guard as a recognized facility under this part.

Sewage means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body waste.

Territorial seas means the belt of the seas measured from the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, and extending seaward a distance of 3 miles.

Type I marine sanitation device means a device that, under the test conditions described in §§ 159.123 and 159.125, produces an effluent having a fecal coliform bacteria count not greater than 1,000 per 100 milliliters and no visible floating solids.

Type II marine sanitation device means a device that, under the test conditions described in §§ 159.126 and 159.126a, produces an effluent having a

fecal coliform bacteria count not greater than 200 per 100 milliliters and suspended solids not greater than 150 milligrams per liter.

Type III marine sanitation device means a device that is designed to prevent the overboard discharge of treated or untreated sewage or any waste derived from sewage.

Uninspected vessel means any vessel that is not required to be inspected under 46 CFR Chapter I.

United States includes the States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Canal Zone, and the Trust Territory of the Pacific Islands.

Vessel includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the waters of the United States.

§ 159.201 [Amended]

94. In § 159.201, in paragraph (a), remove the word “(G-MVI),” and add, in its place, the word “(G-MOC),”.

§§ 159.12, 159.15, 159.17, 159.19, and 159.205 [Amended]

95. In addition to the amendments set forth above, in 33 CFR part 159, remove the word “(G-MVI),” and add, in its place, the word “(G-MSE),” in the following places:

- (a) Section 159.12(c);
- (b) Section 159.15 (a) and (c);
- (c) Section 159.17 (a) and (c);
- (d) Section 159.19(a); and
- (e) Section 159.205 (j) and (k).

PART 160—PORTS AND WATERWAYS SAFETY—GENERAL

96. The authority citation for part 160 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. 3703a (note); 49 CFR 1.46. Section 160.207(c)(5) is issued under 4115(b), Pub. L. 101-380, 104 Stat. 520.

§ 160.7 [Amended]

97. In § 160.7, in paragraph (c), remove the words “Office of Marine Safety, Security and Environmental Protection” and add, in their place, the words “Marine Safety and Environmental Protection” wherever it appears in the paragraph.

§ 160.113 [Amended]

98. In § 160.113, in paragraph (d), remove the word “operationg” and add, in its place, the word “operating”.

§ 160.201 [Amended]

99. In § 160.201, in paragraph (c) introductory text, remove the words “Sections 160.207 and 160.209 do” and

add, in their place, the words "Section 160.207 does".

PART 164—NAVIGATION SAFETY REGULATIONS

100. The authority citation for part 164 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. 2103, 3703; 49 CFR 1.46. Sec. 164.13 also issued under 46 U.S.C. 8502 sec. 4114(a), Pub. L. 101-380, 104 Stat. 517 (46 U.S.C. 3703 note). Sec. 164.61 also issued under 46 U.S.C. 6101.

§ 164.03 [Amended]

101. In § 164.03, in paragraph (a), remove the words "U.S. Coast Guard, Marine Environmental Protection Division (G-MEP), room 2100" and add, in their place, the words "Office of Vessel Traffic Management (G-MOV), Coast Guard Headquarters".

§ 164.41 [Amended]

102. In § 164.41, in paragraph (a)(3), remove the words "Office of Navigation Safety and Waterway Services," and add, in their place, the words "Chief, Operations,".

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

103. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 160.5; 49 CFR 1.46.

Part 165, Subpart F [Amended]

104. In 33 CFR part 165, in the Table of Contents, under Subpart F, remove the entry for § 165.T01-134.

§ 165.T01-005 [Removed]

105. Section 165.T01-005 is removed.

§§ 165.202, 165.203, and 165.204 [Redesignated as §§ 165.815, 165.817, and 165.819]

106. Sections 165.202, 165.203, and 165.204 are redesignated as sections 165.815, 165.817, and 165.819.

§ 165.702 [Removed]

107. Section 165.702 is removed.

§ 165.1112 [Removed]

Section 165.1112 is removed.

§ 165.1402 [Amended]

108. In § 165.1402, in paragraphs (a) and (b)(4), add the words "(Based on WGS 84 Datum)" following the last sentence in the paragraph.

§ 165.1406 [Amended]

109. In § 165.1406, in paragraph (a), add the words "(Datum: OHD)" following the last sentence in the paragraph.

PART 174—STATE NUMBERING AND CASUALTY REPORTING SYSTEMS

110. The authority citation for part 174 continues to read as follows:

Authority: 46 U.S.C. 6101, 12302; 49 CFR 1.46.

§ 174.3 [Amended]

111. In § 174.3, all paragraph designators are removed.

§§ 174.7 and 174.125 [Amended]

112. In addition to the amendments set forth above, in 33 CFR part 174, remove the words "U.S. Coast Guard Auxiliary, Boating, and Consumer Affairs Division," and add, in their place, the words "Office of Boating Safety," in the following places:

- (a) Section 174.7; and
- (b) Section 174.125.

PART 179—DEFECT NOTIFICATION

113. The authority citation for part 179 continues to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C. 4302, 4307, 4310, and 4311; 49 CFR 1.46.

§ 179.19 [Amended]

114. In § 179.19, in the text, remove the words "U.S. Coast Guard Recreational Boating Product Assurance Branch," and add, in their place, the words "Recreational Boating Product Assurance Division,".

PART 181—MANUFACTURER REQUIREMENTS

115. The authority citation for part 181 continues to read as follows:

Authority: 46 U.S.C. 4302 and 4310; 49 CFR 1.46.

116. Section 181.3 is revised to read as follows:

§ 181.3 Definitions.

As used in this part:

Associated equipment means:

(1) Any system, part, or component of a boat as originally manufactured or any similar part or component manufactured or sold for replacement, repair, or improvement of such system, part, or component;

(2) Any accessory or equipment for, or appurtenance to, a boat; and

(3) Any marine safety article, accessory, or equipment intended for use by a person or board a boat; but

(4) Excluding radio equipment.

Boat means any vessel manufactured or used primarily for noncommercial use; leased, or rented, or chartered to another for the latter's noncommercial use; or engaged in the carrying of six or fewer passengers.

Date of certification means the date on which a boat or item of associated

equipment is certified to comply with all applicable U.S. Coast Guard safety standards in effect on that date.

Date of manufacture means the month and year during which construction or assembly of a boat or item of associated equipment begins.

Manufacturer means any person engaged in:

(1) The manufacture, construction, or assembly of boats or associated equipment; or

(2) The importation into the United States for sale of boats, associated equipment, or components thereof.

Model year means the period beginning August 1 of any year and ending on July 31 of the following year. Each model year is designated by the year in which it ends.

Private label merchandiser means any person engaged in the business of selling and distributing, under his own trade name, boats, or items of associated equipment manufactured by another.

§ 181.4 [Amended]

117. In § 181.4, paragraph (a), remove the words "United States Coast Guard Survival Systems Branch (G-MVI-3)," and add, in their place, the words "Lifesaving and Fire Safety Standards Division (G-MSE-4),".

§§ 181.31 and 181.33 [Amended]

118. In addition to the amendments set forth above, in 33 CFR part 181, remove the words "U.S. Coast Guard Recreational Boating Product Assurance Branch," and add, in their place, the words "Recreational Boating Product Assurance Division," in the following places:

- (a) Section 181.31 (a) and (b); and
- (b) Section 181.33(b).

PART 183—BOATS AND ASSOCIATED EQUIPMENT

119. The authority citation for part 183 continues to read as follows:

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

120. In Section 183.3 the definitions are revised to read as follows:

§ 183.3 Definitions.

Beam means the transverse distance between the outer sides of the boat excluding handles, and other similar fittings, attachments, and extensions.

Boat means any vessel manufactured or used primarily for noncommercial use; leased, rented, or chartered to another for the latter's noncommercial use; or engaged in the carrying of six or fewer passengers.

Full transom means a transom with a maximum width which exceeds one-half the maximum beam of the boat.

Length means the straight line horizontal measurement of the overall length from the foremost part of the boat to the aftermost part of the boat, measured from end to end over the deck excluding sheer, and measured parallel to the centerline. Bow sprits, bumpkins, rudders, outboard motor brackets, handles, and other similar fittings, attachments, and extensions are not included in the measurement.

Monohull boat means a boat on which the line of intersection of the water surface and the boat at any operating draft forms a single closed curve. For example, a catamaran, trimaran, or a pontoon boat is not a monohull boat.

Motorwell means any arrangement of bulkheads or structures that prevents water from entering the passenger carrying area of the boat through any cutout area in the transom for mounting an outboard motor.

Motorwell height means the vertical distance from the lowest point of water ingress along the top of the motorwell to a line representing a longitudinal extension of the centerline of the boat's bottom surface, excluding keels. This distance is measured as a projection on the centerline plane of the boat. See Figure 183.3.

Permanent appurtenances means equipment that is mounted or fastened, so that it is not removable without the use of tools. Seats, inboard engines, windshields, helm stations, or hardtops are permanent appurtenances. Outboard motors, controls, batteries, and portable fuel tanks are not permanent appurtenances.

Remote steering means any mechanical assist device which is rigidly attached to the boat and used in steering the vessel, including but not limited to mechanical, hydraulic, or electrical control systems.

Sailboat means a boat designed or intended to use sails as the primary means of propulsion.

Sheer means the topmost line in a boat's side. The sheer intersects the vertical centerline plane of the boat at the forward end and intersects the transom (stern) at the aft end. For the purposes of this definition, the topmost line in a boat's side is the line defined by a series of points of contact with the boat structure, by straight lines at 45 degree angles to the horizontal and contained in a vertical plane normal to the outside edge of the boat as seen from above and which are brought into contact with the outside of the horizontal boat. A boat is horizontal when it is transversely level and when the lowest points at 40 percent and 75 percent of the boat's length behind the most forward point of the boat are level.

Transom means the surface at the stern of a boat projecting or facing aft. The upper boundary of the transom is the line defined by a series of points of contact, with the boat structure, by straight lines at 45 degree angles to the horizontal and contained in a vertical longitudinal plane and which are brought into contact with the stern of the horizontal boat. A boat is horizontal when it is transversely level and when the lowest points at 40 percent and 75 percent of the boat's length behind the most forward point of the boat are level.

Vessel includes every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

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§ 183.5 [Amended]

121. In § 183.5, in paragraph (a), remove the words "United States Coast Guard Recreational Boating Product Assurance Branch," and add, in their place, the words "Recreational Boating Product Assurance Division,"; and in paragraph (b), under the entry for Institute of Electrical and Electronic Engineers, remove the words "3435 East 47th Street, New York, NY 10017" and add, in their place, the words "445 Hoes Lane, Piscataway, NJ 08854"; and under the entry for National Fire Protection Association, before the words "Batterymarch Park" add the number "1".

§ 183.110 [Amended]

122. In § 183.110, in the definition of *ASTM*, remove the words "Room 4210," and add, in their place, the words "Room 1308,"; and remove the word "approved" and add, in its place, the word "approved".

§ 183.402 [Amended]

123. In § 183.402, all paragraph designators are removed.

PART 187—VESSEL IDENTIFICATION SYSTEM

124. The authority citation for part 187 continues to read as follows:

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

§§ 187.7 and 187.9 [Amended]

125. In 33 CFR part 187, remove the word "(G-NAB)" and add, in its place, the word "(G-OPB)" in the following places:

- (a) Section 187.7(a); and
- (b) Section 187.9(b).

Dated: June 21, 1996.

Howard L. Hime,

Acting Director of Standards, Marine Safety and Environmental Protection.

[FR Doc. 96-16488 Filed 6-27-96; 8:45 am]

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33 CFR Part 100

[CGD08-96-015]

RIN 2115-AE46

Special Local Regulations: Kentucky Drag Boat Association Races; Green River Mile 70.0-71.5, Livermore, KY

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Special local regulations are being adopted for the Kentucky Drag Boat Association races. This event will be held on June 26-30, 1996 from 9 a.m. until 7 p.m. at Livermore, Kentucky. These regulations are needed to provide for the safety of life on navigable waters during the event.

EFFECTIVE DATES: This rule is effective at 9 a.m. on June 28, 1996 and will terminate at 7 p.m. on June 30, 1996.

FOR FURTHER INFORMATION CONTACT: LT Gregory A. Howard, Chief, Port Operations Department, USCG Marine Safety Office, Louisville, Kentucky at (502) 582-5194, ext. 39.

SUPPLEMENTARY INFORMATION:

Regulatory History

In accordance with 5 U.S.C. § 553, a notice of proposed rule making for these regulations has not been published and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rule making procedures would be impracticable. The details of the event were not finalized in sufficient time to publish proposed rules in advance of the event or to provide for a delayed effective date.

Background and Purpose

The marine event requiring this regulation is a series of quarter mile drag boat races. The event is sponsored by the Kentucky Drag Boat Association. The course to be followed by the race participants will be marked by precisely placed marker buoys positioned at various points along the quarter mile course. Commercial vessels will be permitted to transit the area every three hours.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not