

Dated: July 26, 1999.

**R. Richard Newcomb,**

*Director, Office of Foreign Assets Control.*

Approved: July 26, 1999.

**Elisabeth A. Bresee,**

*Assistant Secretary (Enforcement),  
Department of the Treasury.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 160

[USCG-1998-4819]

RIN 2115-AF85

#### **Year 2000 (Y2K) Reporting Requirements for Vessels and Marine Facilities; Enforcement Date Change**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary interim rule.

**SUMMARY:** The Coast Guard is changing the reporting date for certain vessels and marine facilities to submit their Year 2000 (Y2K) preparedness questionnaires. The current temporary interim rule requires certain vessels and marine facilities to submit Y2K preparedness questionnaires to be received by the Coast Guard no later than August 1, 1999. Due to problems with the software enabling Internet submissions, we are delaying the questionnaire submission date to August 20, 1999. Additionally, we are making some non-substantive, editorial corrections to the interim rule.

**EFFECTIVE DATES:** This temporary interim rule is effective August 2, 1999 and expires March 31, 2000. All other provisions of the temporary interim rule published on June 23, 1999 at 64 FR 33404-33424 that became effective on June 23, 1999 remain in effect.

**FOR FURTHER INFORMATION CONTACT:** For questions regarding this change of enforcement date, call Mr. John Hannon, Project Manager, Office of Compliance, telephone 202-267-0492. For questions on viewing, or submitting material to the docket, contact Dorothy Walker, Chief, Dockets, Department of Transportation, telephone 202-366-9329.

#### **SUPPLEMENTARY INFORMATION:**

##### **Discussion of Regulatory Action**

This rule delays the submission requirement for the Y2K questionnaires from August 1, 1999 to August 20, 1999. This delay facilitates the regulated public's ability to use the Internet and other means to submit the required

questionnaires. Because this rule relieves the restriction for the August 1, 1999, submission date, until August 20, 1999, under 5 U.S.C. 553 (d)(1), it is effective on its date of publication in the **Federal Register**.

#### **Background**

On March 5, 1999, the International Maritime Organization (IMO) issued Circular Letter No. 2121 which established, through unanimous agreement, the Year 2000 Code of Good Practice and Key Elements of Y2K contingency plans for ships, ports, and terminals. After the issuance of Circular No. 2121, the Coast Guard developed a risk assessment matrix, and evaluated the need for information to supplement the questionnaires contained in the Circular. We published a temporary interim rule on June 23, 1999 (64 FR 33404) establishing temporary Y2K preparedness reporting requirements for vessels and marine facilities operating in U.S. waters on any of the following peak risk dates:

- Between midnight (2400 hours local time) September 7, 1999 and midnight (2400 hours local time) September 9, 1999 (48 hours);
- Between midnight (2400 hours local time) December 30, 1999 and midnight (2400 hours local time) January 1, 2000 (48 hours); and
- Between midnight (2400 hours local time) February 27, 2000 and midnight (2400 hours local time) February 29, 2000 (48 hours).

The reporting requirements and copies of the required forms were set out in the temporary interim rule.

#### **Reason for Delay**

The temporary interim rule gave the public three options to submit their responses to Y2K questionnaires: by mail, by facsimile (fax), and by submission of data via the Internet. At the time of publication of the Temporary Interim Rule, we reported that we were finalizing our Y2K questionnaire data processing system and indicated we would implement the system by July 1, 1999. At this time, the system is capable of receiving faxed and mailed submissions; however, we are currently experiencing software problems for submitting questionnaires via the Internet. We anticipate that Internet submission capability will not be available until August 1, 1999. If all submissions were made using the Internet, our system may not be able to process all submissions; therefore, we are delaying the date by which we must receive your Y2K preparedness questionnaires until August 20, 1999. We are currently capable of receiving

and processing both fax and mail Y2K questionnaire submissions and you are highly encouraged to submit your questionnaires as soon as possible through one of those means.

Additionally, as published, the temporary interim rule contains inaccuracies and editorial errors in need of correction. We are correcting the Navigation and Vessel Inspection Circular (NVIC) 6-99 to read as 7-99. In addition, facilities operating under the authority of the Department of Transportation were omitted from section 160.307 paragraph (g) in error. We are correcting that oversight by adding the Department of Transportation to this section. We are also correcting an editorial error where we mislabeled sub-paragraphs in section 160.317 of the rule by going from (d) to (f), skipping (e). Finally, we are correcting an inaccurate domestic fax number and adding an international fax number for foreign vessels to submit the appropriate Y2K preparedness questionnaire.

#### **List of Subjects in 33 CFR Part 160**

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

For reasons set forth in the preamble, the Coast Guard is amending 33 CFR part 160 as follows:

#### **PART 160—PORTS AND WATERWAY SAFETY—GENERAL**

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

**Authority:** 33 U.S.C. 1223, 1231; 49 CFR 1.46. Subpart D is also issued under the authority of 33 U.S.C. 1225 and 46 U.S.C. 3715.

2. Revise paragraph (g) of § 160.307, to read as follows:

#### **§ 160.307 Which vessels and facilities are exempt from this subpart?**

\* \* \* \* \*

(g) Facilities directly operated by the Department of Defense, or under the authority of the Department of the Interior or the Department of Transportation.

3. In § 160.313, revise paragraphs (a)(1), (a)(2), and (b)(2) to read as follows:

#### **§ 160.313 What are the Year 2000 (Y2K) reporting requirements for vessels owned in the United States?**

(a) \* \* \*

(1) If your vessel will operate during any of the peak risk periods identified in § 160.311, you must submit a Vessel

Questionnaire, as contained in Appendix A to this subpart, so that it is received by the U.S. Coast Guard no later than August 20, 1999.

(2) If your vessel will not operate during any of the peak risk periods identified in § 160.311, but will operate during the period August 1, 1999, through March 21, 2000, you must submit U.S. Supplement 1 (page 3 of the Vessel Questionnaire as contained in Appendix A to this subpart) so that it is received no later than August 20, 1999.

(b) \* \* \*

(2) By fax to: 1-877-825-4357 (for submissions faxed within the United States) or 1-703-522-1839 (for submissions faxed from outside the United States); or

\* \* \* \* \*

4. Revise paragraph (b)(2) of § 160.315 to read as follows:

**§ 160.315 What are the Year 2000 (Y2K) reporting requirements for foreign flag vessels?**

\* \* \* \* \*

(b) \* \* \*

(2) By fax to: 1-877-825-4357 (for submissions faxed within the United States) or 1-703-522-1839 (for submissions faxed from outside the United States); or

\* \* \* \* \*

5. In § 160.317, revise paragraphs (a)(1), (a)(2), and (b)(2) to read as follows and redesignate paragraphs (f) and (g) as paragraphs (e) and (f):

**§ 160.317 What are the Year 2000 (Y2K) reporting requirements for marine facilities?**

(a) \* \* \*

(1) If your marine facility will operate during any of the peak risk periods identified in § 160.311, you must submit a Marine Facility Questionnaire, as contained in Appendix B to this

subpart, so that it is received by the U.S. Coast Guard no later than August 20, 1999.

(2) If your marine facility will not operate during any of the peak risk periods identified in § 160.311, but will operate during the period August 1, 1999, through March 21, 2000, you must submit U.S. Supplement 2 (page 3 of the Marine Facility Questionnaire as contained in Appendix B to this subpart) so that it is received no later than August 20, 1999.

(b) \* \* \*

(2) By fax to: 1-877-825-4357 (for submissions faxed within the United States) or 1-703-522-1839 (for submissions faxed from outside the United States); or

\* \* \* \* \*

6. Revise Appendix A to Subpart D of Part 160—United States Coast Guard Vessel Questionnaire to read as follows:

BILLING CODE 4910-15-P

## Appendix A to Subpart D of Part 160—United States Coast Guard Vessel Questionnaire

OMB Approval No. 2115-0639

## United States Coast Guard Vessel Questionnaire

[IMO Year 2000 Questionnaire 2 and United States Supplement 1]

**Instructions**

- Please complete this vessel questionnaire as fully as possible and submit to the U.S. Coast Guard via:

**Mail:** U. S. Coast Guard ( G-MOC/Y2K)  
c/o The Centech Group  
2000 N. 14th Street  
Suite 700  
Arlington, VA 22201

OR

**Fax:** 1-877-825-4357  
(for U.S. submissions)  
OR  
1-703-522-1839  
(for international submissions)

OR

Complete the questionnaire and supplement on the Coast Guard's Internet web site at:  
<http://www.uscg.mil/hq/g-m/y2k.htm>

- You must submit this vessel questionnaire such that it is received by:

U.S. Vessels:	Foreign Vessels arriving in U.S. Waters:
August 20, 1999	24 hours prior to 1 <sup>st</sup> arrival after August 1, 1999

- The peak risk periods are: Midnight (2400) Sept 7, 1999, through midnight (2400) Sept 9, 1999, **AND** Midnight Dec 30, 1999, through midnight Jan 1, 2000 **AND** Midnight Feb 27, 2000 through midnight February 29, 2000.
- If your vessel or fleet of vessels **will** be operating in U.S. waters during any of the peak risk periods, you must submit at least one vessel questionnaire. If you operate a fleet of vessels which all have the same Y2K preparedness status, you may submit one IMO Questionnaire 2 for all vessels in that fleet. However, you must complete a U.S. Supplement 1 for each individual vessel in your fleet. The following examples are provided:
  - Company A has 5 vessels and the same answers to the questions in IMO Questionnaire 2 apply to all 5 vessels. Company A must submit 5 U.S. Supplements (1 for each vessel) but may submit one IMO questionnaire 2 that covers all 5 vessels.
  - Company B also has 5 vessels; however, each vessel has different answers to the questions in the IMO questionnaire. Company B must submit 5 U.S Supplements (1 for each vessel) and 5 IMO Questionnaire 2s (1 for each vessel).
- If your vessel **will not** be operating in U.S. waters during any of the peak risk periods, but **will** be operating in U.S. waters from August 1, 1999, through March 31, 2000, you need only complete the U.S. Supplement 1 and submit it to the Coast Guard via one of the methods outlined above by the appropriate date. You do not have to complete the IMO Year 2000 Questionnaire 2.
- If a vessel's Y2K preparedness or its operational plans change, please submit an updated questionnaire and supplement via mail/fax or update the information via the Internet. **Any new or updated vessel questionnaires submitted during the peak risk periods must be submitted directly to the Captain of the Port (COTP) in whose zone the vessel is operating instead of the locations specified above.** A list of COTP addresses and fax numbers is on page 4.
- Data items on the IMO Questionnaire 2 marked with an asterisk (\*) do not need to be filled in if the questionnaire is being submitted to the U.S. Coast Guard since the U.S. Supplement addresses similar information.**
- For the purpose of this questionnaire, operating means a vessel is underway, conducting cargo loading/transfer operations, or carrying passengers.
- Please **DO NOT SUBSTITUTE** Y2K-related contingency plans, brochures, policy statements or similar documents for this questionnaire and supplement. If you have questions about the questionnaire and/or supplement, contact the Coast Guard Office of Compliance at: Commandant (G-MOC), 2100 2<sup>nd</sup> Street SW, Washington DC 20593-0001; tel: 202-267-2978;.

An agency may not conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection is: 2115-0639.

The Coast Guard estimates it will take averages of 8 minutes to complete and submit Questionnaire 2, and 5 minutes to complete and submit Supplement 1. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to: Commandant (G-MOC), U.S. Coast Guard, Washington, DC 20593-001.

## IMO YEAR 2000 QUESTIONNAIRE 2

From: (Port Authority/Terminal Operator) United States Coast Guard

To: (Name of Ships) \_\_\_\_\_

*Please answer the following as fully as you can. Your response to this questionnaire will assist the Port Authority/Terminal Operator in deciding whether due care has been exercised in avoiding possible equipment failure caused by Year 2000 electronic date recognition problems, and in putting in place contingency plans to cope with unforeseen failures.*

Company: \_\_\_\_\_

Ship's IMO Number \*: \_\_\_\_\_ Flag \*: \_\_\_\_\_

Tonnage (gross) \*: \_\_\_\_\_ Ship Type (e.g. ro-ro, cargo) \*: \_\_\_\_\_

Date/time of expected arrival/departure \*: \_\_\_\_\_

	Circle as appropriate	
1) Does your company have a documented Year 2000 policy in place?	YES	NO
2) Has an inventory check to identify and categorize potentially non-compliant equipment been carried out?	YES	NO
3) Has equipment critical to the operational safety of the ship(s) been investigated, and have appropriate remedial actions been carried out with regard to:		
- Navigational Systems?	YES	NO
- Propulsion and Power Generation Systems?	YES	NO
- Cargo Handling Equipment?	YES	NO
- Other Safety Equipment?	YES	NO
4) Are records of Year 2000 compliance, and/or the results of equipment tests/investigations documented?	YES	NO
5) Are the above documents available onboard the ships for inspection by the port authority/terminal operator?	YES	NO
6) Do the ships have a documented Year 2000 specific contingency plan, including competent personnel to implement it?	YES	NO
7) Has the ships' Year 2000 contingency plan been tested and reviewed to confirm its effectiveness?	YES	NO
8) Has the ships' equipment not currently in use, but critical to safe operation of the ship, been checked to establish that its functionality has not been affected?	YES	NO
9) Has all necessary information been exchanged and agreed with the above named port/terminal on any additional Year 2000 specific requirements applicable to ship operations in the port?	YES	NO

Name of the Master \*: \_\_\_\_\_

Signature of the Master \*: \_\_\_\_\_

Date: \_\_\_\_\_

UNITED STATES SUPPLEMENT 1 TO IMO YEAR 2000 QUESTIONNAIRE 2

In addition to the IMO Year 2000 Questionnaire 2, please answer the following as fully as you can for each individual vessel arriving in, operating in, or residing at U.S. ports from August 1, 1999 through March 31, 2000.

Name of the Person Completing Questionnaire: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

Vessel Name: \_\_\_\_\_

Vessel Type (check one):

Oil Tanker (single hull)   
  Oil Tanker (double hull)   
  Ore/Bulk/Oil (OBO)   
  LPG Carrier   
  LNG Carrier   
  Chemical Tanker  
 Bulk Carrier   
  Containership   
  Ro-Ro Cargo   
  General Cargo   
  Passenger   
  Offshore Supply  
 MODU   
 Other: \_\_\_\_\_

Cargo (check one):

Cargo of Particular Hazard (33 CFR 126)   
  Liquefied Hazardous Gas (LHG)   
  Bulk HAZMAT (liquid or solid)   
  Bulk Oil  
 150 or more passengers   
  7 to 149 passengers   
  1 to 6 passengers   
  Other

Gross Tonnage: \_\_\_\_\_ Flag: \_\_\_\_\_ IMO or Official Number: \_\_\_\_\_

Captain of the Port zone you may be operating in (check "yes" for the dates that the vessel may be in each COTP zone. If needed, attach a separate sheet to list additional COTP zones. Refer to page 4 for a list of COTP zones):

Captain of the Port Zone:	Sept 7, 1999 – Sept 9, 1999	Dec 30, 1999 – Jan 1, 2000	Feb 27, 2000 – Feb 29, 2000	Any other dates Aug 1, 1999 - Mar 31, 2000
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

Please answer the following question	Circle as appropriate	
1) If you were required to complete IMO Questionnaire 2 and answered yes to question #6 of that questionnaire, does the contingency plan call for the following when the vessel is underway:	YES	NO
• Two or more additional trained crew on board during the risk periods?	YES	NO
• Anchor detail set and anchor ready for letting go during the risk periods?	YES	NO
• Manning the engine room with engine and generator alarm systems in manual override mode during the risk periods?	YES	NO
• Setting the steering in manual mode (disengaging automatic pilot) during the risk periods?	YES	NO
• Enabling the ship for mechanical steering at rudder post and manning the steering compartment during the risk periods?	YES	NO

## Marine Safety Offices (MSOs)/Captains of the Port

MSO Portland 103 Commercial Street Portland, ME 04101-4726 PHONE: (207) 780-3681 FAX: (207) 780-3567	MSO Boston 455 Commercial Street Boston, MA 02109-1045 PHONE: (617) 223-3435 FAX: (617) 223-3032	MSO Providence 20 Risho Avenue East Providence, RI 02914-1208 PHONE: (401) 435-2350 FAX: (401) 435-2382	Group/MSO Long Island Sound 120 Woodward Avenue New Haven, CT 06512-3698 PHONE: (203) 468-4401 FAX: (203) 468-4445
USCG Activities New York Prevention/Compliance Division 212 Coast Guard Drive Staten Island, NY 10305 PHONE: (718) 354-4207 FAX: (718) 354-4301	Coast Guard Activities Baltimore 2401 Hawkins Point Road Baltimore, MD 21226-1791 PHONE: (410) 576-2693 FAX: (410) 962-0930	MSO Hampton Roads Norfolk Federal Building, 200 Granby Street Norfolk, VA 23510-1888 PHONE: (757) 441-3300 FAX: (757) 441-3262	MSO Wilmington 272 N. Front Street, Suite 500 Wilmington, NC 28401-3907 PHONE: (910) 815-4895 ext. 107 FAX: (910) 815-4523
MSO/Group Philadelphia 1 Washington Avenue Philadelphia, PA 19147-4395 PHONE: (215) 271-4806 FAX: (215) 271-4833	MSO Miami P.O. Box 01-6940 Miami, FL 33101-6940 PHONE: (305) 535-8705 FAX: (305) 535-8742	MSO Jacksonville 7820 Arlington Expressway, Suite 400 Jacksonville, FL 32211-7445 PHONE: (904) 232-2640 ext. 106 FAX: (904) 232-2664	MSO Tampa 155 Columbia Drive Tampa, FL 33606-3598 PHONE: (813) 228-2189 FAX: (813) 228-2399
MSO Savannah 222 W. Ogelthorpe Avenue, Suite 402 Savannah, GA 31401-3606 PHONE: (912) 652-4353 FAX: (912) 652-4180	MSO Charleston 196 Tradd Street Charleston, SC 29401-1899 PHONE: (843) 724-7684 FAX: (843) 720-7750	MSO San Juan P.O. Box 9023666 San Juan, PR 00902-3666 PHONE: (787) 729-6800 ext.303 FAX: (787) 729-6648	MSO New Orleans 1615 Poydras Street New Orleans, LA 70112-1254 PHONE: (504) 589-4256 FAX: (504) 589-7470
MSO Morgan City 800 David Drive Morgan City, LA 70380-1304 PHONE: (504) 380-5312 FAX: (504) 385-1687	MSO Corpus Christi 400 Mann Street, Suite 210 Corpus Christi, TX 78401-2046 PHONE: (512) 888-3162 FAX: (512) 888-3115	MSO Houston-Galveston P.O. Box 446 Galena Park, TX 77547-0446 PHONE: (713) 671-5100 ext. 0 FAX: (713) 671-5177	MSO Mobile P.O. Box 2924 150 N. Royal Street Mobile, AL 36652-2924 PHONE: (334) 441-5121 FAX: (334) 441-6169
MSO Port Arthur Federal Building 2875 Jimmy Johnson Boulevard Port Arthur, TX 77640-2099 PHONE: (409) 723-6509 ext. 251 FAX: (409) 723-6534	MSO St. Louis 1222 Spruce Street, Suite 8.104E St. Louis, MO 63103-2835 PHONE: (314) 539-3091 ext. 281 FAX: (314) 539-2659	MSO Huntington 1415 6 <sup>th</sup> Avenue Huntington, WV 25701-2420 PHONE: (304) 529-5432 FAX: (304) 529-5051	MSO Louisville 600 Martin Luther King, Jr. Pl., Room 360 Louisville, KY 40202-2230 PHONE: (502) 582-5194 ext. 39 FAX: (502) 582-6825
MSO Memphis 200 Jefferson Avenue, Suite 1301 Memphis, TN 38103-2300 PHONE: (901) 544-3941 ext. 226 FAX: (901) 544-3886	MSO Paducah 225 Tully Street Paducah, KY 42003-1582 PHONE: (502) 442-1621 FAX: (502) 442-1633	MSO Pittsburgh Kossman Building, Suite 1150 100 Forbes Avenue Pittsburgh, PA 15222-1371 PHONE: (412) 644-5808 ext. 115 FAX: (412) 644-3479	MSO Buffalo 1 Fuhrman Boulevard Buffalo, NY 14230 PHONE: (716) 843-9570 FAX: (716) 843-9571
MSO Chicago 215 W. 83 <sup>rd</sup> Street, Suite D Burr Ridge, IL 60521 PHONE: (630) 986-2155 FAX: (630) 986-2120/2174	MSO Cleveland 1055 E. 9 <sup>th</sup> Street Cleveland, OH 44114 PHONE: (216) 522-4405 FAX: (216) 522-3290	MSO Detroit 110 Mt. Elliot Avenue Detroit, MI 48207 PHONE: (313) 568-9580 FAX: (313) 568-9581	MSO Duluth 600 S. Lake Avenue, Canal Park Duluth, MN 55802-2352 PHONE: (218) 720-5286 FAX: (218) 720-5258
MSO Milwaukee 2420 S. Lincoln Memorial Drive Milwaukee, WI 53207-1997 PHONE: (414) 747-7155 FAX: (414) 747-7890	MSO Toledo Federal Building 234 Summit Street, Room 501 Toledo, OH 43604 PHONE: (419) 259-6372 FAX: (419) 259-6374	MSO Sault Ste. Marie 337 Water Street Sault Ste. Marie, MI 49783 PHONE: (906) 635-3223 FAX: (906) 635-3321	MSO Long Beach 165 N. Pico Avenue Long Beach, CA 90802-1096 PHONE: (562) 980-4447 FAX: (562) 980-4413
MSO San Diego 2716 N. Harbor Drive San Diego, CA 92101-1064 PHONE: (619) 683-6477 FAX: (619) 683-6504	MSO San Francisco Building 14, Coast Guard Island Alameda, CA 94501-5100 PHONE: (510) 437-3082 FAX: (510) 437-3072	MSO Puget Sound 1519 Alaskan Way South, Building 1 Seattle, WA 98134-1192 PHONE: (206) 217-6232 FAX: (206) 217-6345	MSO Portland 6767 N. Basin Avenue Portland, OR 97217-3992 PHONE: (503) 240-9301 FAX: (503) 240-9302
MSO Honolulu 433 Ala Moana Boulevard Honolulu, HI 96813-4909 PHONE: (808) 522-8252 FAX: (808) 522-8271	MARSEC/MSO Guam PSC 455, Box 176 FPO AP, 95-6540-1056 PHONE: (671) 339-2001 ext.164 FAX: (671) 339-2005	MSO Juneau 2760 Sherwood Lane, Suite 2A Juneau, AK 99801-8545 PHONE: (907) 463-2464 FAX: (907) 463-2445	MSO Anchorage 510 L Street, Suite 100 Anchorage, AK 99501-1946 PHONE: (907) 271-6724 FAX: (907) 271-6751
MSO Valdez P.O. Box 486 105 South Clifton Valdez, AK 99686-0486 PHONE: (907) 835-7205 FAX: (907) 835-7207	<b>The geographic boundaries for all Captain of the Port Zones are contained in 33 CFR part 3.</b>		

7. Revise Appendix B to Subpart D of Part 160—United States Coast Guard

Marine Facility Questionnaire to read as follows:

**Appendix B to Subpart D of Part 160—  
United States Coast Guard Marine  
Facility Questionnaire**

OMB Approval No. 2115-0639

**United States Coast Guard Marine Facility Questionnaire**

**[IMO Year 2000 Questionnaire 3 and United States Supplement 2]**

**Instructions**

- Please complete this marine facility questionnaire as fully as possible and submit to the U.S. Coast Guard via:

**Mail:** U. S. Coast Guard ( G-MOC/Y2K)  
c/o The Centech Group  
2000 N. 14th Street  
Suite 700  
Arlington, VA 22201

OR

**Fax:** 1-877-825-4357  
(for U.S. submissions)  
OR  
1-703-522-1839  
(for international submissions)

OR

Complete the questionnaire and supplement on the Coast Guard's Internet web site at:  
<http://www.uscg.mil/hq/g-m/y2k.htm>

- You must submit all portions of this questionnaire required for your facility so that they are received by **August 20, 1999**. If your facility **will not** conduct cargo loading/transfer operations on any of the peak risk periods, but will be operating at any time between August 1, 1999, and March 31, 2000, you need only complete the U.S. Supplement 2 and submit it to the Coast Guard via one of the methods outlined above. You **do not** have to complete the IMO Year 2000 Questionnaire 3.
- If your facility will not be operating at any time between August 1, 1999, and March 31, 2000, you need not submit any portion of this questionnaire.
- The peak risk periods are:  
Midnight (2400) September 7, 1999, through midnight (2400) September 9, 1999; and  
Midnight (2400) December 30, 1999, through midnight (2400) January 1, 2000; and  
Midnight (2400) February 27, 2000, through midnight (2400) February 29, 2000.
- If your Y2K preparedness changes or your operational plans change, you must submit an updated questionnaire(s) as soon as possible.
- Any updated or new questionnaires submitted during the peak risk periods must be submitted to the Captain of the Port of the zone in which the facility is operating instead of the locations specified above. A list of Captain of the Port addresses and fax numbers is provided on page 4.
- **Data items on the IMO Questionnaire 3 marked with an asterisk (\*) do not need to be filled in if the questionnaire is being submitted to the U.S. Coast Guard since the U.S. Supplement addresses similar information.**
- Please **DO NOT SUBSTITUTE** Y2K-related contingency plans, brochures, policy statements or similar documents for this questionnaire and supplement.
- If you have questions about this questionnaire, contact the Coast Guard Office of Compliance at Commandant (G-MOC), 2100 2<sup>nd</sup> Street, SW, Washington, D.C. 20593-0001; tel: 202-267-2978;

An agency may not conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection is 2115-0639. The Coast Guard estimates it will take, on average, 8 minutes to complete and submit both Questionnaire 3 and Supplement 2. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to: Commandant (G-MOC), U.S. Coast Guard, Washington, DC 20593-001.

## IMO YEAR 2000 QUESTIONNAIRE 3

From: United States Coast Guard

To: (Marine Facility/Terminal Operator) \_\_\_\_\_

Date/time of expected arrival/departure \*: \_\_\_\_\_

*It is anticipated that the above ship will/may require to navigate or handle cargo within your port on or around the above dates. Please complete the following questions concerning the Year 2000 preparations made by the Port Authority/Terminal Operator.*

	Circle as appropriate	
1) Does the facility have a documented Year 2000 policy in place?	YES	NO
2) Has an inventory check to identify and categorize non-compliant equipment been carried out?	YES	NO
3) Has all equipment critical to the safety of navigation/cargo handling been assessed for Year 2000 compliance?	YES	NO
4) Has facility personnel investigated potential problems and solutions?	YES	NO
5) Where non-compliant equipment has not been replaced or upgraded, have alternative systems or manual operations been established?	YES	NO
6) Has the facility sought to establish whether its critical suppliers, utilities and external services are Year 2000 compliant?	YES	NO
7) Is there serious doubt as to the availability of any supply, utility or service which is critical to safety?	YES	NO
8) Does the facility have operational contingency plans in place to cope with unforeseen Year 2000 equipment malfunctions?	YES	NO
9) Have these contingency plans been tested and reviewed to confirm their effectiveness?	YES	NO
10) Has all necessary information been exchanged and agreed with ships/shipping company on any additional Year 2000 specific requirements applicable to port/terminal/facility operations?	YES	NO

Name: \_\_\_\_\_

Position\*: \_\_\_\_\_

Contact Address\*: \_\_\_\_\_

\_\_\_\_\_

Signature\*: \_\_\_\_\_

Date: \_\_\_\_\_

UNITED STATES SUPPLEMENT 2 TO IMO YEAR 2000 QUESTIONNAIRE 3

*In addition to the IMO Year 2000 Questionnaire3, please answer the following as fully as you can for each Marine Facility operating from August 1, 1999 through March 31, 2000.*

Marine Safety Office/Captain of the Port zone located in: \_\_\_\_\_

Name of Facility: \_\_\_\_\_

Type(s) of Facility: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Name of Person completing questionnaire: \_\_\_\_\_

Your Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX: \_\_\_\_\_ E-mail: \_\_\_\_\_

Please indicate (by circling) if this is an:    Initial/Original Questionnaire                  Updated Questionnaire

Please answer the following questions.	Circle as appropriate
<p>1) Will the facility conduct cargo loading/transfer operations on the following dates of concern?</p> <ul style="list-style-type: none"> <li>• Midnight September 7 – midnight September 9, 1999</li> <li>• Midnight December 30, 1999 – midnight January 1, 2000</li> <li>• Midnight February 27 – midnight February 29, 2000</li> </ul> <p><b>If you answer “yes” or “maybe” for any date, please complete IMO Year 2000 Questionnaire 3. If you answer “no” for all dates, stop here, you are not required to complete the IMO questionnaire, but you must still submit this supplement to the United States Coast Guard per the instructions on page 1. If, in the future, one of your answers changes from “no” to “yes” or “maybe,” submit an updated questionnaire.</b></p>	<p>YES    MAYBE    NO</p> <p>YES    MAYBE    NO</p> <p>YES    MAYBE    NO</p>
<p>2) Where potential problems and solutions have been identified, has the facility carried out appropriate remedial actions?</p>	<p>YES                  NO</p>

## Marine Safety Offices (MSOs)/Captains of the Port

MSO Portland 103 Commercial Street Portland, ME 04101-4726 PHONE: (207) 780-3681 FAX: (207) 780-3567	MSO Boston 455 Commercial Street Boston, MA 02109-1045 PHONE: (617) 223-3435 FAX: (617) 223-3032	MSO Providence 20 Risho Avenue East Providence, RI 02914-1208 PHONE: (401) 435-2350 FAX: (401) 435-2382	Group/MSO Long Island Sound 120 Woodward Avenue New Haven, CT 06512-3698 PHONE: (203) 468-4401 FAX: (203) 468-4445
USCG Activities New York Prevention/Compliance Division 212 Coast Guard Drive Staten Island, NY 10305 PHONE: (718) 354-4207 FAX: (718) 354-4301	Coast Guard Activities Baltimore 2401 Hawkins Point Road Baltimore, MD 21226-1791 PHONE: (410) 576-2693 FAX: (410) 962-0930	MSO Hampton Roads Norfolk Federal Building, 200 Granby Street Norfolk, VA 23510-1888 PHONE: (757) 441-3300 FAX: (757) 441-3262	MSO Wilmington 272 N. Front Street, Suite 500 Wilmington, NC 28401-3907 PHONE: (910) 815-4895 ext. 107 FAX: (910) 815-4523
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MSO Savannah 222 W. Ogelthorpe Avenue, Suite 402 Savannah, GA 31401-3606 PHONE: (912) 652-4353 FAX: (912) 652-4180	MSO Charleston 196 Tradd Street Charleston, SC 29401-1899 PHONE: (843) 724-7684 FAX: (843) 720-7750	MSO San Juan P.O. Box 9023666 San Juan, PR 00902-3666 PHONE: (787) 729-6800 ext.303 FAX: (787) 729-6648	MSO New Orleans 1615 Poydras Street New Orleans, LA 70112-1254 PHONE: (504) 589-4256 FAX: (504) 589-7470
MSO Morgan City 800 David Drive Morgan City, LA 70380-1304 PHONE: (504) 380-5312 FAX: (504) 385-1687	MSO Corpus Christi 400 Mann Street, Suite 210 Corpus Christi, TX 78401-2046 PHONE: (512) 888-3162 FAX: (512) 888-3115	MSO Houston-Galveston P.O. Box 446 Galena Park, TX 77547-0446 PHONE: (713) 671-5100 ext. 0 FAX: (713) 671-5177	MSO Mobile P.O. Box 2924 150 N. Royal Street Mobile, AL 36652-2924 PHONE: (334) 441-5121 FAX: (334) 441-6169
MSO Port Arthur Federal Building 2875 Jimmy Johnson Boulevard Port Arthur, TX 77640-2099 PHONE: (409) 723-6509 ext. 251 FAX: (409) 723-6534	MSO St. Louis 1222 Spruce Street, Suite 8.104E St. Louis, MO 63103-2835 PHONE: (314) 539-3091 ext. 281 FAX: (314) 539-2659	MSO Huntington 1415 6 <sup>th</sup> Avenue Huntington, WV 25701-2420 PHONE: (304) 529-5432 FAX: (304) 529-5051	MSO Louisville 600 Martin Luther King, Jr. Pl., Room 360 Louisville, KY 40202-2230 PHONE: (502) 582-5194 ext. 39 FAX: (502) 582-6825
MSO Memphis 200 Jefferson Avenue, Suite 1301 Memphis, TN 38103-2300 PHONE: (901) 544-3941 ext. 226 FAX: (901) 544-3886	MSO Paducah 225 Tully Street Paducah, KY 42003-1582 PHONE: (502) 442-1621 FAX: (502) 442-1633	MSO Pittsburgh Kossman Building, Suite 1150 100 Forbes Avenue Pittsburgh, PA 15222-1371 PHONE: (412) 644-5808 ext. 115 FAX: (412) 644-3479	MSO Buffalo 1 Fuhrman Boulevard Buffalo, NY 14230 PHONE: (716) 843-9570 FAX: (716) 843-9571
MSO Chicago 215 W. 83 <sup>rd</sup> Street, Suite D Burr Ridge, IL 60521 PHONE: (630) 986-2155 FAX: (630) 986-2120/2174	MSO Cleveland 1055 E. 9 <sup>th</sup> Street Cleveland, OH 44114 PHONE: (216) 522-4405 FAX: (216) 522-3290	MSO Detroit 110 Mt. Elliot Avenue Detroit, MI 48207 PHONE: (313) 568-9580 FAX: (313) 568-9581	MSO Duluth 600 S. Lake Avenue, Canal Park Duluth, MN 55802-2352 PHONE: (218) 720-5286 FAX: (218) 720-5258
MSO Milwaukee 2420 S. Lincoln Memorial Drive Milwaukee, WI 53207-1997 PHONE: (414) 747-7155 FAX: (414) 747-7890	MSO Toledo Federal Building 234 Summit Street, Room 501 Toledo, OH 43604 PHONE: (419) 259-6372 FAX: (419) 259-6374	MSO Sault Ste. Marie 337 Water Street Sault Ste. Marie, MI 49783 PHONE: (906) 635-3223 FAX: (906) 635-3321	MSO Long Beach 165 N. Pico Avenue Long Beach, CA 90802-1096 PHONE: (562) 980-4447 FAX: (562) 980-4413
MSO San Diego 2716 N. Harbor Drive San Diego, CA 92101-1064 PHONE: (619) 683-6477 FAX: (619) 683-6504	MSO San Francisco Building 14, Coast Guard Island Alameda, CA 94501-5100 PHONE: (510) 437-3082 FAX: (510) 437-3072	MSO Puget Sound 1519 Alaskan Way South, Building 1 Seattle, WA 98134-1192 PHONE: (206) 217-6232 FAX: (206) 217-6345	MSO Portland 6767 N. Basin Avenue Portland, OR 97217-3992 PHONE: (503) 240-9301 FAX: (503) 240-9302
MSO Honolulu 433 Ala Moana Boulevard Honolulu, HI 96813-4909 PHONE: (808) 522-8252 FAX: (808) 522-8271	MARSEC/MSO Guam PSC 455, Box 176 FPO AP, 95-6540-1056 PHONE: (671) 339-2001 ext.164 FAX: (671) 339-2005	MSO Juneau 2760 Sherwood Lane, Suite 2A Juneau, AK 99801-8545 PHONE: (907) 463-2464 FAX: (907) 463-2445	MSO Anchorage 510 L Street, Suite 100 Anchorage, AK 99501-1946 PHONE: (907) 271-6724 FAX: (907) 271-6751
MSO Valdez P.O. Box 486 105 South Clifton Valdez, AK 99686-0486 PHONE: (907) 835-7205 FAX: (907) 835-7207	<b>The geographic boundaries for all Captain of the Port Zones are contained in 33 CFR part 3.</b>		

Dated: July 28, 1999.

**Joseph J. Angelo,**

*Acting Assistant Commandant for Marine Safety and Environmental Protection.*

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BILLING CODE 4910-15-C

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[OPP-300894; FRL-6090-2]

RIN 2070-AB78

### Imidacloprid; Pesticide Tolerances

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes tolerances for combined residues of imidacloprid and its metabolites containing the 6-chloropyridinyl moiety in or on cucurbit vegetables (Crop Group 9) at 0.5 parts per million (ppm), tuberous and corm vegetable subgroup at 0.3 ppm, dasheen leaves at 3.5 ppm, and watercress (upland) at 3.5 ppm. The Interregional Research Project Number 4 (IR-4) New Jersey Agricultural Experiment Station requested these tolerances under the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1996.

**DATES:** This regulation is effective August 2, 1999. Objections and requests for hearings must be received by EPA on or before October 1, 1999.

**ADDRESSES:** Written objections and hearing requests, identified by the docket control number, [OPP-300894], must be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk identified by the docket control number, [OPP-300894], must also be submitted to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring a copy of objections and hearing requests to Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA.

A copy of objections and hearing requests filed with the Hearing Clerk may be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epa.gov. Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect 5.1/6.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket control number [OPP-300894]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries.

**FOR FURTHER INFORMATION CONTACT:** By mail: Peg Perreault, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 209, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 305-5417, Perreault.Peg@epa.gov.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of April 8, 1999 (64 FR 17171) (FRL-6071-2), EPA issued a notice pursuant to section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a as amended by the Food Quality Protection Act of 1996 (FQPA) (Public Law 104-170) announcing the filing of three pesticide petitions (PP 6E4766, 7E4898, and 7E4899) for tolerances by the Interregional Research Project Number 4 (IR-4) New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903. This notice included a summary of the petitions prepared by IR-4. There were no comments received in response to the notice of filing.

The petitions requested that 40 CFR 180.472(a) be amended by establishing tolerances for combined residues of the insecticide imidacloprid (1-[(6-chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine and its metabolites containing the 6-chloropyridinyl moiety, all expressed as 1-[(6-chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine, in or on cucurbit vegetables (Crop Group 9) at 0.5 parts per million (ppm), tuberous and corm vegetable subgroup at 0.3 ppm, dasheen leaves at 3.5 ppm, and watercress (upland) at 3.5 ppm.

## I. Background and Statutory Findings

Section 408(b)(2)(A)(i) of the FFDCA allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is "safe." Section 408(b)(2)(A)(ii) defines "safe" to mean that "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information." This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to "ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue...."

EPA performs a number of analyses to determine the risks from aggregate exposure to pesticide residues. For further discussion of the regulatory requirements of section 408 and a complete description of the risk assessment process, see the final rule on Bifenthrin Pesticide Tolerances (62 FR 62961, November 26, 1997) (FRL-5754-7).

## II. Aggregate Risk Assessment and Determination of Safety

Consistent with section 408(b)(2)(D), EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of imidacloprid and to make a determination on aggregate exposure, consistent with section 408(b)(2), for tolerances for combined residues of imidacloprid and its metabolites containing the 6-chloropyridinyl moiety on cucurbit vegetables (Crop Group 9) at 0.5 ppm, tuberous and corm vegetable subgroup at 0.3 ppm, dasheen leaves at 3.5 ppm, and watercress (upland) at 3.5 ppm. EPA's assessment of the dietary exposures and risks associated with establishing the tolerances follows.

### A. Toxicological Profile

EPA has evaluated the available toxicity data and considered its validity, completeness, and reliability as well as the relationship of the results of the studies to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including