

**DEPARTMENT OF TRANSPORTATION****Coast Guard**

**46 CFR Parts 15, 26, 31, 32, 34, 35, 38, 54, 56, 58, 61, 72, 76, 77, 78, 92, 95, 96, 97, 108, 109, 153, 160, 162, 164, 167, 168, 169, 189, 190, 193 and 196**

[CGD 95-027]

RIN 2115-AF09

**Adoption of Industry Standards**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** Pursuant to the ongoing Presidential Regulatory Reform Initiative, the Coast Guard is modifying its regulations for both inspected and uninspected commercial vessels by removing or revising obsolete and unnecessary provisions and incorporating industry standards and practices.

The Coast Guard expects these amendments to reduce the regulatory burden to the maritime industry, reduce the administrative burden to government and industry, reduce government printing costs, and provide a more concise and useful Title 46, Code of Federal Regulations.

**DATES:** This final rule is effective on June 24, 1996. The Director of the Federal Register approves as of June 24, 1996, the incorporation by reference of certain materials listed in this rule.

**ADDRESSES:** Unless otherwise indicated, documents referred to in this rulemaking 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.

A copy of the material listed in "Incorporation by Reference" of this rulemaking is available for inspection at Room 1300, U.S. Coast Guard Headquarters.

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**SUPPLEMENTARY INFORMATION:****Regulatory History**

On December 20, 1995, The Coast Guard published a notice of proposed rulemaking (NPRM) entitled "Adoption of Industry Standards" in the Federal Register (60 FR 65988). The Coast Guard

received seven written comments on the proposal. A public meeting was held at Coast Guard Headquarters on February 9, 1996, to discuss the NPRM.

**Background and Purpose**

This final rule has been sparked by several recent calls for regulatory review and reform. For example, on March 4, 1995, the President issued a memorandum calling on executive agencies to review regulations with the goals of—

- (1) Cutting obsolete regulations;
- (2) Focusing on results instead of process and punishment;
- (3) Convening meetings with the regulated community; and
- (4) Expanding efforts to promote consensual rulemaking.

The President's memorandum coincides with U.S. maritime industry requests for greater alignment of Coast Guard regulations with international marine safety standards to reduce cost disadvantages incurred by the U.S. maritime industry and, thereby, improve the competitiveness of the U.S. industry. The ongoing National Performance Review effort, which stresses reducing red tape and maximizing results, provides further justification for identifying excessive requirements in Coast Guard regulations and for streamlining government processes. Also, the Coast Guard recognized the need to explore regulatory reform where it provides an opportunity to reprogram Coast Guard resources to focus more attention on human factors and port state control activities to ensure that other nations are conscientiously implementing international safety agreements.

The Coast Guard held a public meeting on April 20, 1995, announced in the March 30, 1995 Federal Register (60 FR 16423), to discuss the Coast Guard's regulatory development process and the President's Regulatory Review Initiative. During the public meeting, the Coast Guard announced its goals of purging obsolete and outdated regulations and eliminating any Coast Guard induced differences between requirements that apply to U.S. vessels in international trade and those that apply to similar vessels in international trade that fly the flag of other responsible foreign nations. In the May 31, 1995 Federal Register (60 FR 28376), the Coast Guard reiterated its intention to harmonize Coast Guard regulations with international safety standards.

To accomplish all of these goals, the Coast Guard under the general rulemaking authority it holds pursuant to 14 U.S.C. 2, is considering alternative

compliance methods, examining ways to make existing regulations more efficient, and comparing U.S. marine safety regulations with American Bureau of Shipping (ABS) Rules and the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS '74). An initial rulemaking removing or amending obsolete and unnecessary provisions was published in the September 18, 1995 Federal Register (60 FR 48044). That rulemaking focused on regulations for which no adverse public comment was expected, such as removal of the requirements for nuclear vessels, ocean incinerator ships, and ocean thermal energy conversion facilities and plantships. This final rule removes or amends obsolete or unnecessary regulations of a more significant nature and incorporates industry consensus standards and practices.

In compiling the list of CFR sections affected by this final rule, the Coast Guard did not consider parts of title 46 of the Code of Federal Regulations (46 CFR) that are under review as part of other, ongoing regulatory projects.

In this final rule, sections of the CFR were identified for removal or revision by comparing the section subject matter to the following list of selection criteria:

- (a) Equipment discussed in a section is no longer manufactured or used;
- (b) Requirements imposed by a section are repeated in another section;
- (c) Requirements imposed by a section make a negligible contribution to shipboard safety;
- (d) An appropriate industry consensus standard or practice exists which can be referenced instead of publishing detailed requirements in a regulation; or
- (e) The text of a regulation merely repeats statutory language.

**Discussion of Comments and Changes**

In response to the notice of proposed rulemaking, seven comment letters were received. Additionally, a public meeting was held on February 9, 1996, to discuss the NPRM. Numerous comments were received regarding the proposed amendments at the public hearing.

**Part 15—Authority Citation**

The Coast Guard notes that the authority citation for part 15 is outdated. Updating the authority citation for part 15 is merely an editorial change and does not affect the proposals of the NPRM. Therefore, the final rule adopts revisions to the authority citation in part 15.

*Subparts 32.40, 72.40, 92.20, 167.50, 168.15, and 190.20—Accommodations*

One written comment and a participant at the public meeting noted that the language used in the NPRM to revise the accommodations regulations differed among the various subchapters and suggested that the revised text be made consistent among the subchapters for ease in comparing requirements. The proposed changes to the accommodations regulations in the NPRM were written to be consistent with the style and tone of the individual subchapters. For example, subchapter D on tank vessels is older than subchapters H, Passenger Vessels; I, Cargo and Miscellaneous Vessels; and U, Oceanographic Research Vessels, and, therefore, reads differently. The proposed changes were written to read like the remaining text in subchapter D while containing the same information and requirements as the other subchapters. However, the Coast Guard agrees that comparing requirements among subchapters is easier when the text is identical.

Revising the regulatory text for accommodations to be identical among the subchapters is merely an editorial change and is not a substantive change to the NPRM. Therefore, except for text concerning existing vessels particular to each subchapter, the final rule revises the original proposals in the NPRM by making the regulations for accommodations in each subchapter identical.

Two written comments and two participants at the public meeting objected to the proposed changes to the provisions for crew comfort and suggested provisions for crew comfort be retained in the regulations as currently written because the International Labour Office Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147) (ILO 147) only provides for minimum requirements in this area. For example, ILO 147 requires that accommodations be "adequately heated", while current Coast Guard regulations specify that accommodation areas be maintained at 68°F or 70°F, depending on the subchapter. The commenters noted that as "adequately" is a relative term, vessel owners and operators could meet the technical requirements of ILO 147 and the proposed changes without actually providing adequate accommodations.

The proposed regulations were drafted with the intent of achieving a balance among the need to remove unnecessary or excessive regulations, the necessity of retaining the mandated provisions of ILO 147 and 46 U.S.C.

11101 (the statute which describes minimum requirements for accommodations), and the Coast Guard's desire to promote more autonomy for the marine industry. As a result, some of the provisions for crew comfort in the existing regulations were removed or revised in the NPRM.

The Coast Guard recognizes that some aspects of crew comfort are directly related to safety issues. One such example, pointed out in the comments, regards adequate heating and cooling of crew accommodations. The Coast Guard agrees that heating and cooling accommodations to provide a comfortable living area environment may directly affect crewmembers' ability to obtain sufficient rest. However, the Coast Guard notes that not all of the provisions for crew comfort in current regulations which were proposed for removal or revision directly affect safety. For instance, other examples of provisions for crew accommodations removed or revised in the NPRM and protested by the commenters concern bunk dimensions, separation of accommodations between watches or departments, and acceptable methods of preventing the admission of insects. The Coast Guard does not consider the minor revisions in these areas to be significant to shipboard safety.

Therefore, this final rule is retaining the specification that the heating and cooling system of a vessel be able to maintain the temperature of accommodations at 70°F, but adopts the rest of the proposals relating to accommodations in the NPRM.

*Subparts 78.20, 97.17, and 196.17 and §§ 32.05-5 and 167.65-30—Rudder Orders*

Two written comments and two participants at the public meeting objected to the proposed deletion of the requirement that "Right rudder" and "Left rudder" be used for rudder commands on U.S. inspected vessels, arguing that this command convention is necessary for safe navigation because the common practice of using "Port" and "Starboard" on foreign vessels sometimes causes confusion with pilots. The Coast Guard disagrees with the underlying assumption of the comments that retaining the current command convention of "Right rudder" and "Left rudder" on U.S. ships will alleviate confusion due to the use of a different command convention on foreign ships.

It is a well-established principle of maritime safety that the helmsman and deck officer or pilot have a shared responsibility to ensure that rudder orders are understood and properly

executed, and that problems affecting the execution of steering orders are reported immediately. A helmsman who does not understand a rudder command is duty bound to advise the deck officer or pilot that the command is not clear and cannot be executed. As good communication among bridge personnel is crucial to safe navigation, potential terminology problems between the helmsman and deck officer or pilot must be resolved before maneuvering begins. That is, the person directing the movement of the vessel must inform the helmsman of the commands to be used to order rudder changes. Although the helmsman is generally not expected to question the deck officer's or pilot's choice of convention, the relationship between the helmsman and the deck officer or pilot should allow for agreement on a command convention that minimizes the potential for confusion. When bridge personnel interact effectively, no rudder command convention is necessary.

One commenter also noted that the Coast Guard's commitment to focusing on human factors in maritime safety should dictate that a standard convention for rudder commands is retained in the regulations. The Coast Guard disagrees with this conclusion. Standardizing rudder commands, as in current regulations, ignores the human factors involved in vessel maneuvering by relying on every helmsman, deck officer, and pilot to assume that all mariners will use the same convention. Personal preference, training, experience, and regional customs in the choice of rudder commands are thus not recognized and the important working relationship between the person directing the movement of the vessel and the helmsman is trivialized when a convention is specified in the regulations.

Therefore, the final rule adopts the proposal to remove the specification of "Right rudder" and "Left rudder" for rudder commands.

*§ 35.20-30—Blinding Lights*

Two participants at the public meeting suggested retaining the section prohibiting shining lights into other vessels' bridges. The coast Guard notes that the suggestion stems from a misunderstanding of the intent in the proposed rules. In the NPRM, Coast Guard regulations that contain phrases describing the liability of the crew, for not complying with the underlying requirements of the regulations, were grouped into a single category for revision. Section 35.20-30, which prohibits the shining of lights into another vessel's bridge, was included in

this category because it states that a person who flashes blinding lights, or allows blinding lights to be flashed, into another vessel's bridge is liable under suspension and revocation proceedings. The Coast Guard notes that the proposed revision did not remove the actual prohibition against blinding lights, but removed the phrase imposing liability on officers and crew. The Coast Guard considers this reference to liability to be inconsistent with the President's desire to focus on process rather than punishment and with the Coast Guard's commitment to forging greater government/industry partnerships. Additionally, the liability of officers and crew for failure to comply with the provisions of 46 CFR is contained in 46 CFR, part 5 and need not be repeated.

Therefore, the final rule adopts the proposal to remove references to liability regarding the shining of blinding lights into another vessel's bridge.

*§§ 35.20-40, 78.21-1, 97.19-1 and 196.19-1—Posting Maneuvering Information*

One written comment suggested that the Coast Guard retain the requirement to post maneuvering information contained in 46 CFR instead of removing the requirement and inserting a reference to a similar section in title 33 of the Code of Federal Regulations (33 CFR), as proposed. The comment noted that the proposed revisions would make the affected sections, which also discuss validation of maneuvering information, harder to use. The Coast Guard agrees with the comment. The sections addressing posted maneuvering information in 46 CFR were originally identified for revision because 33 CFR contains similar requirements. However, the Coast Guard agrees that the proposed revisions would be counterproductive.

Therefore, the final rule does not adopt the proposal to remove the requirement for posted maneuvering information.

*§§ 61.05-5 and 61.30-5—Preparing Machinery for Inspections*

One written comment and two participants at the public meeting objected to the removal of the regulation requiring the chief engineer to prepare machinery for inspection, arguing that the chief engineer is ultimately responsible for the machinery and, therefore, only the chief engineer should prepare machinery for inspection. The Coast Guard disagrees with these comments. The proposed revision does not undermine the important role of the

chief engineer in vessel operations and Coast Guard inspections, nor does the proposal affect the chief engineer's responsibilities for vessel machinery. The proposed revision merely recognizes that specifying the chief engineer prepare machinery for inspection is not necessary.

With increased reliance on reduced manning, many companies use shore-maintenance personnel for tasks traditionally performed by the vessel's crew. Specifying that the chief engineer prepare machinery for inspection may undermine the owner's prerogatives in a way that is not intended by the regulations. Additionally, under the current regulations, the chief engineer's responsibility is not to personally prepare machinery for inspection but to ensure that the task is performed competently. The intent of the regulations would be met if another, qualified member of the crew was assigned to prepare machinery for inspection under the chief engineer's direction. Also, the failure to prepare machinery for inspection has little actual consequence except to delay the inspection.

Therefore, the final rule adopts the proposal to remove the requirement for the chief engineer to prepare machinery for inspection.

*§ 56.30—Gasketed Mechanical Couplings*

One written comment and one participant at the public meeting suggested that, in addition to incorporating the American Society for Testing and Materials (ASTM) standard F 1476-93 (Performance of Gasketed Mechanical Couplings for Use in Piping Applications) the Coast Guard also incorporate ASTM F 1548-94 (Performance of Fittings for Use with Gasketed Mechanical Couplings Used in Piping Applications). This suggestion was made because ASTM F 1548-94 was developed specifically to supplement ASTM F 1476-93 and only applies to gasketed mechanical couplings manufactured in accordance with ASTM F 1476-93. The Coast Guard agrees with the recommendation especially in light of the fact that, though ASTM F 1548-94 is a companion standard to ASTM F 1476-93, it is not referenced in ASTM F 1476-93 because it was developed a year later. Incorporating ASTM F 1548-94 is a logical consequence of incorporating ASTM F 1476-93.

Therefore, the final rule adopts incorporation of ASTM F 1548-94 in addition to incorporating ASTM F 1476-93.

Another comment suggested the Coast Guard also incorporate the American Waterworks Association (AWWA) standard C-606 (Grooved and Shouldered Type Joints) into the same regulations for gasketed mechanical couplings mentioned previously because AWWA C-606 is referenced in ASTM F 1476-93. The Coast Guard disagrees with this recommendation. Industry consensus standards typically reference one another. However, when the regulatory language and an industry standard being incorporated into the regulations provide sufficient guidance to the class affected by the regulations, incorporation of secondary referenced standards is not necessary.

Compliance with the provisions of AWWA C-606 is mandatory under ASTM F 1476-93. Therefore, incorporating AWWA C-606 by reference, in addition to ASTM F 1476-93, is not necessary because ASTM F 1476-93 provides sufficient guidance and the regulatory language ensures enforceability.

Therefore, the final rule does not adopt the incorporation of AWWA C-606 by reference.

*§ 56.30-40—Mechanically Attached Fittings*

One written comment and one participant at the public meeting suggested that ASTM standard F 1387-93 (Performance of Mechanically Attached Fittings) be incorporated into § 56.30-25, Flared, flareless, and compression joints, instead of into § 56.30-40, Flexible pipe couplings of the compression or slip-on type, as originally proposed, because § 56.30-40 is a confusing section containing requirements that should apply to gasketed mechanical couplings instead of mechanically attached fittings. The Coast Guard agrees with the recommendation. The current regulations for mechanically attached fittings in § 56.30-40 have shown to be confusing because they do not adequately distinguish the differences between gasketed mechanical couplings and mechanically attached fittings. Gasketed mechanical couplings and mechanically attached fittings both employ a compressive force to seal the pipe joint. However, the mechanism to achieve compression is different for each type of fitting. For example, gasketed mechanical couplings typically employ threaded fasteners to compress a resilient gasket around the pipe joint. Conversely, mechanically attached fittings employ a compressive force to become attached to the pipe. The terms "compression joint" and "couplings of the compression type" refer to the type

of compression used in mechanically attached fittings rather than the compression of a resilient material used in gasketed mechanical couplings.

Moving requirements for mechanically attached fittings to § 56.30-25 instead of § 56.30-40, as originally proposed in the NPRM, is an editorial reorganization of changes and is within the scope of the NPRM. Therefore, the final rule incorporates ASTM F 1387-93 into § 56.30-25 and moves provisions in the existing § 56.30-40, which apply to gasketed mechanical couplings, into § 56.30-35.

*§§ 56.60-1, 56.60-10, 56.60-15, 56.60-20, 58.30-5, 58.30-15, and 58.30-17—Ductile Iron*

One written comment and a participant at the public meeting noted that, contrary to the current provisions of § 56.60-1, Acceptable materials and specifications, ASTM F 1476-93, proposed for incorporation by reference, allows the use of ductile iron conforming to ASTM standard A 536-83 (Ductile Iron Castings) and suggested A 536-83 ductile iron be added to the list of acceptable materials in § 56.60-1 to remedy this problem. The Coast Guard agrees with the recommendation. As mentioned above, incorporation of a secondary referenced industry standard is not necessary when the regulatory language and the primary standard provide sufficient guidance and the regulations ensure enforceability. In the case of A 536-83 ductile iron, merely incorporating ASTM F 1476-93 would create a conflict with other provisions in the regulations regarding the use of A 536-83 ductile iron. Thus, it is necessary to add A 536-83 ductile iron to the list of acceptable materials to avoid a conflict with other provisions and to ensure the regulations provide sufficient guidance.

Therefore, the final rule adopts a revision to the list of acceptable piping materials in § 56.60-1 regarding the use of A 536-83 ductile iron.

As a result of adding A 536-83 ductile iron to the list of acceptable materials, the Coast Guard is also updating the testing and acceptance criteria for ferrous cast materials used in hydraulic system components addressed in §§ 58.30-5, 58.30-15, and 58.30-17. The current regulations require ferrous cast materials to either exhibit 15 percent elongation in 50 millimeters (2 inches) under a tensile test or pass an impact shock test in order to be considered as ductile iron (as opposed to cast iron) acceptable for use in hydraulic system components. By comparison, ABS considers ferrous cast material exhibiting 12 percent elongation in 50

millimeters (2 inches) as ductile iron without the option for an impact shock test. The Coast Guard considers the elongation requirement to be an important distinction between ductile iron and cast iron and prefers to harmonize the acceptance criteria for ductile iron with ABS. The final rule revises § 56.60-15, Ductile Iron, to reference the requirements of § 56.60-10, Cast Iron, for those materials that do not exhibit at least 12 percent elongation in 50 millimeters (2 inches) under a tensile test. Additionally, as § 58.30-15, Pipe, tubing, valves, fittings, pumps, and motors, references the materials requirements of §§ 56.60-1 and 56.60-2, and therefore the elongation and impact shock testing requirements in § 56.60-15, the elongation and impact shock testing requirements in § 58.30-15 are no longer needed. Removing the previously mentioned testing requirements from § 58.30-15 also necessitates removing references to § 58.30-15 included in §§ 56.60-10, 56.60-20, and 58.30-5 and the impact shock test procedures included in § 58.30-17.

Section 58.30-15 also contains testing requirements for cast aluminum alloys used in hydraulic components. Under current regulations a cast aluminum alloy intended for use in hydraulic components must exhibit 10 percent elongation in 50 millimeters (2 inches) under a tensile test or pass the same impact shock test previously mentioned for ferrous cast materials. Numerous valve and pipe fitting designs employing cast aluminum alloys exhibiting elongation characteristics much lower than 10 percent in 50 millimeters (2 inches) have been accepted on the basis of the impact shock test results and have demonstrated satisfactory service. Additionally, ABS has no similar testing requirements for cast aluminum alloys and has also found that valve and pipe fittings manufactured with cast aluminum alloys having elongation characteristics lower than 10 percent in 50 millimeters (2 inches) have demonstrated satisfactory service.

Revising the testing and acceptance criteria for ferrous cast materials and cast aluminum alloys would harmonize the regulations with industry practices, simplify the regulations, complete the steps necessary to incorporate ASTM F 1476-93 by reference and, therefore, is within the scope of the NPRM.

Therefore, the final rule adopts a revision to the NPRM by updating the testing and acceptance criteria for ferrous cast materials and cast aluminum alloys used in hydraulic system components.

*Subpart 162.027 and §§ 34.10-10, 34.10-90, 76.10-10, 76.10-90, 95.10-10, 95.10-90, 108.425, 167.45-40, 193.10-10 and 193.10-90—Firehose Nozzles*

One written comment noted that testing firehose nozzles in accordance with ASTM F 1546-94 (Firehose Nozzles) proposed for incorporation by reference, is cost prohibitive and suggested that testing costs may become more reasonable if the Coast Guard recognized previous tests performed on identical materials or components. This comment stems from a misunderstanding of the role of independent laboratories when testing equipment required to be approved by the Coast Guard. Under the proposed revisions to subpart 162.027, nozzles would be considered approved by the Coast Guard if the nozzles successfully pass the tests specified in ASTM F 1546-94 when tested by an independent laboratory accepted by the Coast Guard. The Coast Guard does not prohibit accepted independent laboratories from applying the results of previous testing to subsequent, required testing of identical materials or components. The determination to do so is up to the individual independent laboratory, unless otherwise stated in Coast Guard regulations. The Coast Guard uses oversight processes and field inspection reports to determine whether manufacturing and independent laboratory testing consistently result in products that meet the requirements and intent of the regulations.

As the Coast Guard does not dictate to independent laboratories whether previous test may be used to satisfy an incorporated industry consensus standard, the incorporation of ASTM F 1546-94 into Coast Guard regulations will not add any additional Coast Guard induced economic burden on manufacturers. Therefore, while the Coast Guard notes this comment, the comment does not directly affect the overall proposal to incorporate ASTM F 1546-94 into the regulations for firehose nozzles.

Another commenter asserted that the operator-protection test in ASTM F 1546-94 is costly and unnecessary given the other tests and provisions in ASTM F 1546-94. The Coast Guard disagrees with this comment. The Coast Guard interviewed firefighters, fire fighting trainers, and fire department maintenance personnel to gain an understanding of the operational and maintenance factors that should be considered in an ASTM standard for fire hose nozzles. The Coast Guard then worked with nozzle manufacturers in the development of ASTM F 1546-94,

keeping in mind the information obtained from professional firefighters. The operator-protection test is the only test in ASTM F 1546-94 that measures a nozzle's effectiveness in protecting the nozzle operator from a sudden heat rise. The test is essential to determining whether the nozzle, when operated properly, can provide a firefighter with sufficient time to escape an unexpected fire hazard.

Additionally, ASTM F 1546-94 has undergone a rigorous review and balloting process through ASTM and the provisions of ASTM F 1546-94 have been accepted by both the Coast Guard and industry. Given this Coast Guard/industry consensus on the provisions of ASTM F 1546-94, constructively changing the standard via regulatory requirements would be inconsistent with the Coast Guard's commitment to fostering Coast Guard/industry partnerships and the goals of incorporating industry consensus standards by reference. Proposed revisions to ASTM F 1546-94 are outside the scope of this rulemaking and must be considered through the normal industry consensus standard process.

Therefore, while the Coast Guard notes the comment, the Coast Guard does not agree that the provisions of ASTM F 1546-94 should be modified through the final rule.

Another participant at the public meeting disagreed with the Coast Guard's proposal to incorporate the provisions of ASTM F 1546-94 pertaining to firehose nozzles that are suitable for use only in fresh water. The commenter argued that the regulations should prohibit firehose nozzles intended only for fresh water service in accordance with ASTM F 1546-94, because the nozzles might be placed on vessels operating in salt water service and, as a result, the nozzles may not function properly when needed. The Coast Guard disagrees with this comment. As previously mentioned, the Coast Guard helped firehose nozzle manufacturers develop ASTM F 1546-94 with the specific intention of incorporating this standard into the regulations to replace the detailed specifications in subpart 162.027 and to make an improved fire fighting product available to the marine industry. Nozzles manufactured of aluminum alloys are currently the only type specifically mentioned in ASTM F 1546-94 (sections 6.1.2, 9.8.1 and 12) as unsuitable for salt water service. Most shoreside fire fighting organizations, including those in coastal, salt air locations, use firehose nozzles constructed of anodized aluminum with fresh water drawn from municipal water

supplies. The anodized aluminum nozzle is rugged, reliable and lighter than similar brass nozzles, which are currently the only type of nozzle approved by the Coast Guard. Whereas brass nozzles are suitable for any service, the aluminum nozzle is not suitable for service in a salt water environment because, if the anodized coating is damaged, the aluminum nozzle body is susceptible to salt water corrosion, which may render the nozzle inoperable.

To protect against aluminum nozzles being placed on vessels in salt water service, the Coast Guard ensured that ASTM F 1546-94 contained provisions for marking firehose nozzles manufactured of aluminum alloys with "F.W. Only" to indicate suitability only for fresh water service.

It is true, as argued by the commenter, that without mindfulness in the marine industry, it is possible that nozzles intended only for fresh water service may be placed on vessels operating in salt water. However, only allowing nozzles suitable for both fresh and salt water service on vessels would needlessly penalize the owners and operators of vessels operating exclusively in fresh water by prohibiting the lighter and more common anodized aluminum nozzles. Additionally, firehose nozzles are examined at each Coast Guard inspection and owners and operators would be required to replace unsuitable nozzles.

Therefore, the final rule incorporates all of the provisions in ASTM F 1546-94 regarding firehose nozzles intended for fresh or salt water service.

After further review of the proposed revisions to subpart 162.027, the Coast Guard is making editorial changes to the regulatory language. Specifically, the provisions related to testing conducted by a recognized laboratory in the proposed § 162.027-3, Approval procedures, have been moved to § 162.027-2, Design, construction, testing, and marking requirements.

These revisions represent an editorial reorganization of the proposals in the NPRM and do not affect the scope or intent of the NPRM. Therefore, the final rule revises the proposals in the NPRM by including the previously mentioned editorial changes.

*§§ 35.07-5, 35.07-15, 78.37-3, 97.35-3, 97.35-10, 196.35-3, and 196.35-10—Logbooks*

Several written comments were received about logbooks on merchant vessels. One comment noted that the proposed rules suggest that the Coast Guard will no longer gratuitously provide the official logbooks required by

the regulations. The comment also noted that the current version of the official logbook (CG-706) contains outdated references to sections of the U.S. Code. The Coast Guard agrees that the regulations should explicitly continue to explain that official logbooks may be obtained gratuitously from any Officer in Charge, Marine Inspection. Also, the Coast Guard agrees that updating the official logbook form to reference current statutes is necessary. The Coast Guard is currently revising the logbook form to include updated references.

Therefore, the final rule revises the proposals of the NPRM by retaining text to explain that official logbooks may be obtained gratuitously from any Officer in Charge, Marine Inspection.

Another written comment suggested that the Coast Guard should issue additional regulations regarding logbook requirements for uninspected towing vessels arguing that requiring logbook entries is the best way of enforcing applicable requirements for uninspected towing vessels. The Coast Guard disagrees with this suggestion. Title 46 of the United States Code, section 11301 (46 U.S.C. 11301) requires all U.S. vessels on a foreign voyage, or, of at least 100 gross tons and on a voyage from a port in the Atlantic Ocean to a port in the Pacific Ocean to maintain an official logbook and describes the information to be recorded in the official logbook. The Coast Guard does not currently require uninspected towing vessels not otherwise subject to 46 U.S.C. 11301 to maintain official logbooks.

While the Coast Guard is concerned about violations of safety regulations on uninspected towing vessels, it is beyond the scope of this rulemaking to address these issues. Therefore, the final rule does not adopt new requirements concerning logbooks on uninspected towing vessels.

*§§ 32.05-5, 35.40-40, 78.47-67, 97.35-45, 167.55-5, 169.742 and 196.37-45—Equipment Marking*

The Coast Guard proposed in the NPRM to remove the requirement to mark fire axes and firehoses with the vessel's name as these items do not float and would not aid in identifying debris from a sunken vessel. However, this proposal is also included in another rulemaking regarding lifesaving and firefighting equipment. Therefore, the proposal to remove the requirement to mark fire axes and fire hoses with the vessel's name is withdrawn from the final rule.

One written comment suggested removing the requirement to mark life

jackets with the vessel's name on all inland vessels. The commenter reasoned that the need to identify debris after an accident is less critical on inland vessels than on oceangoing vessels because inland commercial vessels are often on dedicated routes. While the Coast Guard considers this suggestion to be consistent with the spirit of the final rule, it would be a substantive change to Coast Guard requirement for which prior public comment is preferred.

Therefore, the final rule adopts the original proposals of the NPRM regarding marking emergency equipment. The suggestion to remove the requirements for marking life jackets with the vessel's name on all inland vessels will be considered for future rulemaking.

*§§ 108.611, 108.613, 108.615, 108.659, 109.529, 109.531, 109.533, 109.535, 109.537 and 109.539—Mobile Offshore Drilling Units.*

Several written comments were received about proposed changes to the regulations for mobile offshore drilling units (MODU). One comment pointed out that if § 108.613, regarding requirements for power-operated industrial trucks on MODUs, was being removed, then related §§ 108.611 and 108.615 should also be removed. The Coast Guard agrees with this comment. It was the Coast Guard's intention to remove all sections regarding power-operated industrial trucks as the Coast Guard considers regulations for power-operated industrial trucks to be no longer needed. The removal of sections 108.611 and 108.613, as well as, §§ 109.529 through 109.539 was inadvertently omitted from the NPRM.

As the preamble to the NPRM discussed the removal of all regulations for power-operated industrial trucks, removal of additional, inadvertently omitted regulations for power-operated industrial trucks is within the scope of the NPRM. Therefore, the final rule removes §§ 108.613, 108.615, and 109.529 through 109.539 in addition to adopting the original proposals of the NPRM regarding power-operated industrial trucks on MODUs.

Another comment suggested that regulations for breeches buoy instructions, proposed for removal from other subchapters by the NPRM, be removed from the requirements for MODUs as breeches buoys are no longer used for lifesaving purposes on MODUs. The Coast Guard agrees with this suggestion. It was the Coast Guard's intention to remove all requirements for breeches buoy instructions from title 46 CFR. The sections requiring breeches

buoy instructions on MODUs were inadvertently omitted from the NPRM.

As removing all requirements for breeches buoy instructions was discussed in the NPRM, removing additional, inadvertently omitted requirements for breeches buoy instructions is within the scope of the NPRM. Therefore, the final rule removes requirements for breeches buoy instructions in § 108.659 in addition to adopting the original proposals of the NPRM regarding breeches buoy instructions.

A separate comment suggested removing the requirement in § 108.637 for marking hand-portable fire extinguishers and their associated stations on MODUs because a similar requirement is not included in other subchapters of 46 CFR. The Coast Guard disagrees with this suggestion because it stems from a misunderstanding of the requirements for marking emergency equipment in the other subchapters of 46 CFR. A requirement for marking hand-portable fire extinguishers and their associated stations is included in the equipment marking provisions for tank vessels, passenger vessels and cargo vessels in §§ 37.40–25, 78.47–30 and 97.37–23, respectively. Also, the ability to match hand-portable fire extinguishers with their stations is an effective method to ensure that extinguishers are available as expected in a vessel's approved fire control plan.

Therefore, the final rule does not adopt the suggestion to remove the requirements for marking hand-portable extinguishers and their associated stations.

Another comment suggested removing the reference to 46 CFR part 147 concerning vessel stores in § 109.558, which addresses hazardous vessel stores, because it is redundant to the applicability section of part 147. The Coast Guard agrees with this comment. One of the goals of the final rule is to remove provisions that are repeated in another section when removal of the provision does not make the regulations confusing or hard to use. Therefore, as the requirement is duplicative with another section in the CFR and the removal of the reference to 46 CFR part 147 in § 109.558 is not a substantive change, the final rule adopts the suggestion to remove the reference to 46 CFR part 147 in § 109.558.

The following discussion summarizes the changes being made by this final rule to 46 CFR.

1. *The requirement addresses equipment that is no longer manufactured or used.* The following sections are being removed or revised because they impose requirements for

equipment that is no longer manufactured, is technologically obsolete, or is no longer used in the marine industry.

Seciton 31.10–15(a) of title 46 CFR contains requirements for nuclear vessels. This section was inadvertently omitted from an earlier rulemaking entitled Removal of Obsolete and Unnecessary Regulations (60 FR 48044), which focused on removing regulations for nuclear vessels, ocean incinerator vessels, and ocean thermal energy conversion facilities and plantships. Therefore, this section which pertains to nuclear vessels is being removed.

Section 34.05–5 and subparts 34.13, 76.13, and 95.13 of 46 CFR contain requirements for steam smothering systems used for fire fighting purposes. The Coast Guard has prohibited installation of steam smothering systems on vessels since 1962. Existing steam smothering systems may be retained as long as they are kept in good condition to the satisfaction of the Officer in Charge, Marine Inspection. As no new installations of steam smothering systems are allowed and the designs of existing installations have already been approved, the design requirements for steam smothering systems are no longer necessary and are being removed. The Coast Guard is retaining the regulations pertaining to testing and inspection of installed systems.

Subparts 35.70, 78.80, 97.70, and §§ 78.83–1, 97.70–1, 108.611, 108.613, 108.615, 109.529, 109.531, 109.533, 109.535, 109.537, and 109.539 of title 46 CFR contain requirements for power-operated industrial trucks. Power-operated industrial trucks have been used historically on break-bulk vessels for handling cargo in the holds. Only 66 U.S. flag break-bulk ships are currently inspected by the Coast Guard. Well over half of these vessels are maintained by the Maritime Administration (MARAD), but are not operating. Of MARAD's vessels, only 7 will eventually carry power-operated industrial trucks as ship's equipment. On the remaining, privately owned break-bulk vessels, few trucks are still carried as vessel's equipment because dockside trucks are readily available. Trucks are also used on mobile offshore drilling units (MODUs) to move palletized stores such as bagged cement. Efficient cargo handling systems are increasingly replacing trucks aboard MODUs for this purpose. The demand for faster loading methods and the evolution of container vessels, lighter-abroad vessels (LASH) and roll-on/roll-off (RORO) vessels has also reduced the use of power-operated industrial trucks. Additionally, there have been no reported accidents

involving power-operated industrial trucks in the last 15 years. Therefore, regulations for power-operated industrial trucks are no longer necessary and are being removed.

Sections 32.15-10, 77.27-1, 96.27-1, and 167.40-20 of 46 CFR contain requirements for sounding equipment, including deep-sea hand leads. Reliable, inexpensive electronic sounding equipment and position fixing equipment are available from numerous manufacturers. It is unlikely that a hand lead would be necessary to determine the water depth. Therefore, the requirements for deep sea hand leads are not necessary and are being removed.

Section 32.02-5 and subparts 78.35, 97.33, and 196.33 require cable travelers between fore and aft deck houses separated by more than 46 meters (150 feet) to protect crossing the weather decks. Cable travelers have been replaced by raised fore and aft bridges and side tunnels as safer means of moving between the deckhouses. Additionally, modern vessel designs have abandoned the two deckhouse arrangement in favor of a single deckhouse. Therefore, these sections are being revised to remove the requirement for installation of cable travelers between separated deckhouses and merely require a fixed means of facilitating movement between both ends of the vessel.

Sections 34.05-15, 76.05-30, 95.05-20, 167.45-40, 193.05-20 and subpart 34.55 of 46 CFR require sand, sawdust impregnated with soda or other appropriate dry materials, and a scoop or shaker for distribution, to be located in the machinery spaces for fire fighting purposes. Sand is inferior to other

common fire fighting means such as portable extinguishers, which makes this burdensome requirement inappropriate. Therefore, regulations requiring sand in the engineroom are being removed.

Subparts 35.12, 78.53, 97.43, 196.43 and § 167.65-50 of 46 CFR require instructions for the use of breeches buoys. Modern communications and lifesaving equipment have made the use of breeches buoys for lifesaving purposes obsolete. Therefore, the requirement for an instruction placard for the use of breeches buoys is no longer necessary and these sections are being revised.

Sections 35.30-45, 72.05-60, 167.40-35, and 169.321 and subparts 78.75, 97.60, and 196.60 of 46 CFR contain requirements for motion picture film, principally designed to prevent fires. Subpart 78.75 also contains a requirement that motion picture projectors comply with the requirements in the electrical engineering regulations. With the exception of large passenger vessels, which use motion picture projectors in their movie theaters, video cassette recorders and televisions have replaced motion picture projectors on most vessels. Slow-burning film is the only type of film currently available in reel format for use with movie projectors. Section 111.89-1 of 46 CFR requires all motion picture projectors to meet Article 540 of the National Electrical Code. Therefore, as the risks previously associated with motion picture film no longer exist, the regulations for motion picture film are not necessary and are being removed.

Sections 108.403 and 167.45-55 of 46 CFR allow the installation of water

spray systems for fire fighting purposes in boiler spaces of MODUs and public nautical school ships. Other fire fighting media, such as carbon dioxide, have proven more effective, reliable and practical than water spray systems. In addition, there are currently no MODUs or public nautical school ship using a water spray system in a boiler space for fire fighting purposes. Therefore, these provisions are not necessary and are being removed.

Subpart 160.018 of 46 CFR contains specifications for rigid liferafts. Rigid liferafts are no longer manufactured for use in the marine industry. Therefore, the specifications for rigid liferafts in 46 CFR 160.018 are no longer necessary and are being removed.

Subpart 160.034 of 46 CFR contains specifications for lifeboat hand-propelling gear. Hand-propelled lifeboats have largely been replaced by reliable, engine-driven lifeboats and are no longer manufactured for use in the marine industry. Therefore, the specifications for hand-propelling gear in 46 CFR 160.034 are no longer necessary and are being removed.

Section 164.016 of 46 CFR contains specifications for microcellular nylon used in the construction of lifesaving equipment. Microcellular nylon has been replaced by more effective materials and is no longer manufactured for use in Coast Guard approved lifesaving equipment. Therefore, the specifications for microcellular nylon are no longer needed and are being removed.

The following table lists the sections that affected by the removal or revision of regulations pertaining to equipment that is no longer used.

Cite (46 CFR)	CFR change	Subject addressed by regulation
Part 15 .....	Revision .....	Authority citation.
§ 31.10-15 .....	Revision .....	Nuclear vessels.
§ 32.02-5 .....	Revision .....	Cable traveler.
§ 32.15-10 .....	Revision .....	Deep-sea hand leads.
§ 34.05-5 .....	Revision .....	Steam smothering systems.
§ 34.05-15 .....	Removal .....	Sand in the engineroom.
Subpart 34.13 .....	Revision .....	Steam smothering systems.
Subpart 34.55 .....	Removal .....	Sand in the engineroom.
Subpart 35.12 .....	Revision .....	Breeches buoy placard.
§ 35.30-45 .....	Removal .....	Motion picture film.
Subpart 35.70 .....	Removal .....	Power-operated industrial trucks.
§ 72.05-60 .....	Removal .....	Motion picture film.
§ 76.05-20 .....	Revision .....	Fixed fire fighting systems.
§ 76.05-30 .....	Removal .....	Sand in the engineroom.
Subpart 76.13 .....	Revision .....	Steam smothering systems.
§ 77.27-1 .....	Revision .....	Deep-sea hand leads.
Subpart 78.35 .....	Revision .....	Cable traveler.
Subpart 78.53 .....	Revision .....	Breeches buoy placard.
Subpart 78.75 .....	Removal .....	Motion picture film.
Subpart 78.80 .....	Removal .....	Power-operated industrial trucks.
§ 78.83-1 .....	Revision .....	Power-operated industrial trucks.
§ 95.05-10 .....	Revision .....	Fixed fire fighting systems.
§ 95.05-20 .....	Removal .....	Sand in boiler rooms.

Cite (46 CFR)	CFR change	Subject addressed by regulation
Subpart 95.13	Revision	Steam smothering systems.
§ 96.27-1	Revision	Deep-sea hand leads.
Subpart 97.33	Revision	Cable traveler.
Subpart 97.43	Revision	Breeches buoy placard.
Subpart 97.60	Removal	Motion picture film.
Subpart 97.70	Removal	Power-operated industrial trucks.
§ 97.80-1	Revision	Power-operated industrial trucks.
§ 108.403	Revision	Water spray systems.
§ 108.611	Removal	Power-operated industrial trucks.
§ 108.613	Removal	Power-operated industrial trucks.
§ 108.615	Removal	Power-operated industrial trucks.
§ 108.659	Revision	Breeches buoy placard.
§ 109.529	Removal	Power-operated industrial trucks.
§ 109.531	Removal	Power-operated industrial trucks.
§ 109.533	Removal	Power-operated industrial trucks.
§ 109.535	Removal	Power-operated industrial trucks.
§ 109.537	Removal	Power-operated industrial trucks.
§ 109.539	Removal	Power-operated industrial trucks.
Subpart 160.018	Removal	Rigid liferafts.
Subpart 160.034	Removal	Lifeboat hand propelling gear.
Subpart 164.016	Removal	Microcellular nylon.
§ 167.40-20	Revision	Deep-sea hand leads.
§ 167.40-35	Removal	Motion picture film.
§ 167.45-40	Revision	Sand in enginerooms.
§ 167.45-55	Removal	Water spray systems.
§ 167.65-50	Revision	Breeches Buoy placard.
§ 169.321	Removal	Motion picture film.
§ 193.05-20	Removal	Sand in boiler rooms.
Subpart 196.33	Revision	Cable traveler.
Subpart 196.43	Revision	Breeches buoy placard.
Subpart 196.60	Removal	Motion picture film.

2. *The requirement is repeated in another section.* The following provisions are being removed or revised because the requirements are repeated in other, more useful locations in 33 CFR or 46 CFR.

Subparts 32.95, 78.85, 97.75, 196.18, and 196.75 and Section 109.583 of Title 46 CFR contain identical language regarding the requirement that certain vessels operate in accordance with the requirements of the Federal Water Pollution Control Act (FWPCA), as amended, the Oil Pollution Act (OPA), 1961, as amended and parts 151, 155, and 156 of 33 CFR. However, each of the requirements cited contain language regarding their applicability. Therefore, the sections of 46 CFR that merely restate the applicability of the FWPCA, OPA, and 33 CFR are not necessary and are being revised.

Sections 35.20-25 and 167.65-10 and subparts 78.25, 97.23, and 196.23 of 46 CFR prohibit carrying any light not required by law that will interfere with distinguishing signal lights. However, rule 20 of both the Inland and

International Rules of the Road published in 33 U.S.C. 2020, contains the same requirement. It is more logical to retain requirements pertaining to signal lights in the Rules of the Road. Therefore, the sections of 46 CFR that prohibit carrying lights that interfere with signal lights are not necessary and are being removed.

Section 56.50-100 of 46 CFR contains a one sentence reference to subpart 58.30 of 46 CFR for fluid power and control system requirements. Subpart 58.30—Fluid Power and Control Systems contains the detailed requirements. Therefore, § 56.50-100 is not necessary and is being removed.

Sections 92.01-13 and 190.01-13 of 46 CFR contain requirements for the design and operation of sliding watertight door assemblies on cargo and miscellaneous vessels and oceanographic research vessels. Section 170.270 of the subdivision and stability regulations in 46 CFR contains identical requirements. The requirements for sliding watertight doors included in part 170 apply to all vessels inspected under

46 CFR, including cargo and miscellaneous vessels and oceanographic research vessels.

Therefore, repeating the requirements for the design and operation of sliding watertight door assemblies in §§ 92.01-13 and 109.01-13 is not necessary and these provisions are being removed.

Section 109.558 of 46 CFR contains a one-sentence reference to part 147 for labeling, stowing and using hazardous vessel's stores. The other subchapters for tank vessels, passenger vessels, and cargo and miscellaneous vessels do not contain a similar reference. Therefore, merely referencing part 147 for the labeling, stowing, and use of hazardous vessel's stores without adding additional information is not necessary and § 109.558 is being removed.

In the following list of sections being removed or revised, the citation to the sections where duplicate requirements are being retained is indicated in square brackets below the section being removed or revised.

Cite (46 CFR)	CFR change	Subject addressed by regulation
Subpart 32.95 [33 CFR Subchapter O]	Removal	Oil pollution.
§ 35.20-25 [33 CFR 81 and 33 U.S.C. 2020]	Removal	Unauthorized lights.
§ 56.50-100 [§ 58.30]	Removal	Fluid power and control systems.
Subpart 78.25 [33 CFR 81 and 33 U.S.C. 2020]	Removal	Unauthorized lights.
Subpart 78.85 [33 CFR Subchapter O]	Removal	Pollution prevention.
§ 92.01-13 [46 CFR Subchapter S, Subpart H] [33 CFR 164.35]	Removal	Watertight doors.

Cite (46 CFR)	CFR change	Subject addressed by regulation
Subpart 97.23 [33 CFR 81 and 33 U.S.C. 2020]	Removal	Unauthorized lights.
Subpart 97.75 [33 CFR Subchapter O]	Removal	Pollution prevention.
§ 109.558 [46 CFR Part 147]	Removal	Hazardous vessel's stores.
§ 109.583 [33 CFR Subchapter O]	Removal	Pollution Prevention.
§ 167.65-10 [33 CFR 81 and 33 U.S.C. 2020]	Removal	Unauthorized lights.
§ 190.01-13 [46 CFR Subchapter S, Subpart H]	Removal	Watertight doors.
Subpart 196.18 [33 CFR Subchapter O]	Removal	Pollution prevention.
Subpart 196.23 [33 CFR 81 and 33 U.S.C. 2020]	Removal	Unauthorized lights.
Subpart 196.75 [33 CFR Subchapter O]	Removal	Pollution prevention.

3. *The requirement does not improve shipboard safety.* The following sections are being removed or revised because they make no significant contribution to shipboard safety. This list includes provisions that are typically exceeded by industry voluntarily, regulations that have outlived their usefulness and requirements that result in inefficient administrative procedures.

Section 35.01-5 and subparts 32.40, 72.20, 92.20, 167.50, 168.15, and 190.20 of 46 CFR contain requirements for on-board crew accommodations. In some cases, the requirements contained in these sections are unnecessarily detailed or exceed the requirements of the U.S. Code or the International Labor Office Merchant Shipping (Minimum Standards) Convention, 1976 (ILO 147) to which the United States is signatory.

As discussed above, the changes in this rulemaking remove or revise those sections of the regulations that are unnecessarily detailed or exceed the requirements of the U.S. Code or ILO 147 in order to make the regulations more concise and consistent with the international standard for on-board crew accommodations. Provisions that affect shipboard safety are not being removed or revised.

Sections 35.10-5 and 35.20-30 of 46 CFR discuss the officer in command's responsibility to conduct drills and the prohibitions against unauthorized lights, flashing blinding lights and unauthorized whistling. Sections 35.25-1 of 46 CFR discusses the chief engineer's responsibility to examine the boilers and report their condition. Additionally, §§ 78.57-1, 97.47-1, and 167.65-15 of 46 CFR require mariners to strictly comply with routing instructions issued by competent naval authorities. Each of these sections include phrases to indicate that the master or other licensed officers of a vessel may be held liable against their licenses in suspension and revocation proceedings for failure to comply with the provisions of the these sections. Phrases of this type are inconsistent with the President's memorandum of March 4, 1995, directing federal agencies to focus on results rather than

process and punishment and do not contribute to shipboard safety. The authority to proceed in suspension and revocation proceedings against licensed or certificated mariners that fail to obey a law or regulation is explained in part 5 of this chapter. Reiterating a mariner's liability in other subchapters is not necessary. Therefore, to meet the Coast Guard's goal of focusing on results instead of process and punishment, this final rule removes or revises sections that restate mariners' liability for failure to obey laws or regulations, while retaining the prohibition against the underlying conduct.

Sections 35.20-15, and 167.65-30 and subparts 78.20, 97.17 and 196.17 of 46 CFR specify that the words "Right rudder" and "Left rudder" be used when it is intended that the wheel, rudder blade and the head of the vessel move to the right or left, respectively. Specifying the direction of the wheel, rudder or vessel intended by the commands "Right rudder" and "Left rudder" is a detail that is not necessary for professional seamen. It is the shared responsibility of the helmsman and the deck officer or pilot to ensure that terminology and orders are understood. Specifying commands in the regulations does not diminish that responsibility. Therefore, these regulations are not necessary and are being removed.

Sections 61.04-5 and 61.30-5 of 46 CFR assign responsibilities to the chief engineer to prepare the boilers and thermal fluid heaters for inspection. Preparing machinery for inspection reduces the time needed to conduct the required inspections and determine the condition of the machinery. As discussed above, it is a matter of convenience for the vessel and the attending marine inspectors or classification society surveyors to have the machinery prepared in advance, but is not a significant safety issue. It is doubtful that a deck officer or other person not familiar with machinery would be assigned to prepare machinery for inspection because of the great potential for costly delays. Also, other sections in the regulations impart ultimate responsibility for the vessel's

machinery to the chief engineer. Therefore, regulations assigning the responsibility to prepare machinery for inspection to the chief engineer are being removed.

Sections 54.01-1, 54.01-3, and 54.01-5 and table 54.01-5 of 46 CFR reference the standards of the Tubular Exchanger Manufacturers Association (TEMA) and the American Society of Mechanical Engineers (ASME) Code for Boilers and Pressure Vessels (ASME Code) for the construction of heat exchangers. Comments received from heat exchanger manufacturers and shipyards indicate that referencing both the TEMA and ASME standards has create confusion. The ASME Code is the primary industry standard for pressure vessels of all types and is extensively referenced in the regulations. The ASME Code is comprehensive and includes updated requirements for design and construction of the heat exchanger components for which a reference to TEMA standards was previously necessary. The ASME Code requirements are equivalent to TEMA requirements. Heat exchangers built solely in accordance with the ASME Code have demonstrated their suitability for shipboard use. Referencing only the ASME Code will result in simplified regulations and less confusion. Therefore, the regulations referencing the TEMA standards are not longer necessary and are being removed.

Part 153 of 46 CFR contains the requirements for issuance of a Certificate of Compliance (COC) and Subchapter O Endorsement (SOE). Under the existing regulations, a COC and SOE are issued by the Coast Guard to a foreign chemical tanker registered with a nation signatory to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78). Issuance of the COC and SOE is based primarily on a review of the vessel's plans and possession of a valid Certificate of Fitness (COF) issued by the flag state or an authorized third party.

The process to obtain a COC and SOE is initiated when a series of documents

are submitted to the Coast Guard for review. The required submission of these documents to both the Coast guard's Marine safety Center (MSC) and the cognizant Officer in Charge, Marine Inspection (OCMI) often results in unnecessary delays in obtaining a COC and SOE. Also, under current practices, after the COC and SOE have been issued, if a Coast Guard marine inspector discovers that the COF has been reissued by the flag state or its authorized third party, the COC becomes invalid and cargo operations have to be stopped until the MSC reviews the new COF and issues a new SOE.

The new procedure will make the Coast Guard's regulations more consistent with actual practice. Due to the large number of cargoes typically

authorized under a COF, currently the MSC does not conduct a detailed review of the majority of a vessel's plans. Instead, the MSC concentrates on identifying cargoes prohibited from bulk carriage in U.S. waters and those cargoes for which the U.S. has special requirements. The MSC accepts a valid COF issued by the flag state or its authorized third party as documentation that the vessel complies with the applicable international codes for carriage of bulk chemicals. These codes are the Bulk Chemical Code (BCH Code) and the International Bulk Chemical Code (IBC Code) developed by the International Maritime Organization. Compliance with these codes is mandatory for any vessel whose flag state is signatory to MARPOL 73/78. Under this rule, only those chemical

tankers whose flag state is not signatory to MARPOL 73/78 will require a detailed plan review by the MSC to be issued an SOE. Following the plan review, the MSC will issue an SOE to these vessels with the notation that the flag state is not signatory to MARPOL 73/78.

Therefore this final rule amends the review and issuance process found in 46 CFR part 153 to allow the OCMI to issue the COC and SOE without the MSC's involvement for those vessels whose flag states are signatory to MARPOL 73/78. This final rule also allows the SOE to remain valid as long as the COF is valid even if the COF is revised.

The following table lists the sections that are affected by the removal or revision of redundant information or inefficient administrative procedures.

Cite (46 CFR)	CFR change	Subject addressed by regulation
<b>Tank Vessels:</b>		
Subpart 32.40 .....	Revision .....	Accommodations.
§ 35.01-5 .....	Revision .....	Accommodations.
§ 35.10-5 .....	Revision .....	Emergency drills.
§ 35.20-15 .....	Removal .....	Steering orders.
§ 35.20-30 .....	Revision .....	Blinding lights.
§ 35.20-35 .....	Revision .....	Unnecessary whistling.
§ 35.25-1 .....	Revision .....	Examination of boilers and machinery by engineer.
<b>Pressure Vessels:</b>		
§ 54.01-1 .....	Revision .....	Heat exchangers.
§ 54.01-3 .....	Removal .....	Heat exchangers.
§ 54.01-5 .....	Revision .....	Heat exchangers.
<b>Inspections and Examinations:</b>		
§ 61.05-5 .....	Revision .....	Preparing boilers for inspection.
§ 61.30-5 .....	Revision .....	Preparing thermal fluid heater for inspection.
<b>Passenger Vessels:</b>		
Subpart 72.20 .....	Revision .....	Accommodations.
Subpart 78.20 .....	Removal .....	Steering orders.
§ 78.57-1 .....	Revision .....	Routing instructions.
<b>Cargo and Miscellaneous Vessels:</b>		
Subpart 92.20 .....	Revision .....	Accommodations.
Subpart 97.17 .....	Removal .....	Steering orders.
§ 97.47-1 .....	Revision .....	Routing instructions.
<b>Hazardous Cargoes:</b>		
Part 153 .....	Revision .....	Certificate of Compliance procedures.
<b>Public School Ships:</b>		
§ 167.65-15 .....	Revision .....	Routing instructions.
§ 167.65-30 .....	Removal .....	Steering orders.
<b>Civilian Nautical School Ships:</b>		
Subpart 168.15 .....	Revision .....	Accommodations.
<b>Oceanographic Research Vessels:</b>		
Subpart 190.20 .....	Revision .....	Accommodations.
Subpart 196.17 .....	Removal .....	Steering orders.

4. *An appropriate industry standard or practice exists which can be referenced instead of publishing detailed requirements in the regulations.* The Coast Guard has been systematically replacing detailed specifications in the regulations with industry consensus standards for over 20 years. To date, over 250 regulatory provisions have been replaced with adopted industry standards.

Incorporation of industry standards saves time and resources for both the Coast Guard and industry by streamlining the shipboard equipment acceptance process.

Sections 34.10-10, 34.10-90, 76.10-10, 76.10-90, 95.10-10, 95.10-90, 108.425, 167.45-40, 193.10-10, and 193.10-90 of 46 CFR contain requirements for firehose nozzles that are approved under 46 CFR 162.027. In

1994, as discussed above, the Coast Guard helped U.S. nozzle manufacturers develop an ASTM standard for fire fighting nozzles—ASTM F 1546-94, Fire Hose Nozzles. The standard was developed for modern variable-flow or variable-pressure nozzles with the expectation that it would eventually be incorporated into the regulations. Testing conducted by the Coast Guard Research and Development Center in

1988 demonstrated that these nozzles are superior to the currently approved all-purpose nozzles. Two of the tested models were issued Coast Guard approvals in 1990. Variable-flow or variable-pressure nozzles are used by virtually every shoreside fire department in the United States. Incorporation of this standard will make a superior product with a long, successful service history available to the marine industry.

Therefore, this final rule replaces the current specifications for firehose nozzles contained in subpart 162.027 with a reference to ASTM F 1546-94 and allows the use of nozzles that meet the new subpart 162.027 in addition to nozzles previously approved under subpart 162.027.

Section 38.25-10 of 46 CFR contains the inspection requirements for safety relief valves installed on pressure vessel type cargo tanks used in the carriage of liquefied petroleum gas. Under the current regulations, safety relief valves must be tested and adjusted, if necessary, every 4 years. The ABS rules require testing and adjustment every 5 years. The ABS rules with the longer testing interval, have proven to be adequate by the satisfactory performance of safety relief valves on non-U.S. vessels classed by ABS. The Coast Guard has amended the inspection intervals for vessel drydockings and for various pieces of shipboard equipment to agree with the inspection intervals in international standards and ABS rules. These amendments have been made to allow major pieces of equipment to be tested on a cycle that coincides with the normal drydock schedule for the convenience of the vessel owner, class society and the Coast Guard when shipboard safety is not affected. Therefore, this final rule changes the testing interval for safety valves installed on pressure vessel type cargo tanks from 4 years to 5 years to be consistent with international standards and classification society rules.

Sections 56.30-25, 56.30-35, and 56.30-40 of 46 CFR contain regulations for gasketed mechanical couplings and mechanically attached fittings. In 1993, as discussed above, the Coast Guard and ASTM developed ASTM standards F 1387-93 (Performance of Mechanically Attached Fittings) and F 1476-93 (Performance of Gasketed Mechanical Couplings for Use in Piping Applications) with the expectation that they would eventually be incorporated into the regulations. Also, in 1994, ASTM F 1548-94 (the Performance of Fittings for Use with Gasketed Mechanical Couplings Used in Piping

Applications) was developed as a companion standard for ASTM F 1476-93. This final rule incorporates ASTM F 1387-93 into § 56.35-30 and both ASTM F 1476-93 and ASTM F 1548-94 into § 56.35-25, and clarifies the requirements for mechanically attached fittings and gasketed mechanical couplings used in piping applications.

As discussed above, § 56.60-1 describes acceptable materials for shipboard piping systems. Specifically, table 56.60-1(a) prohibits the use of ductile iron conforming to ASTM standard A 536-83. However, the specific grades of A 536-83 ductile iron referenced in ASTM F 1476-93 have a successful service history and have proven to be suitable for shipboard use. Therefore, table 56.60-1(a) is revised to allow the use of A 536-83 ductile iron for pipe fittings and valves. Additionally, § 56.60-15, which addresses the use of ductile iron in piping systems, is being revised to allow the use of A 536-83 ductile iron.

Sections 58.30-5, 58.30-15, and 58.30-17 contain requirements for the use of ferrous cast materials in hydraulic systems. Under the current regulations, ferrous cast materials must exhibit at least 15 percent elongation in 50 millimeters (2 inches) when subjected to a tensile test or pass an impact shock test to be considered ductile iron and acceptable for use in hydraulic system components. As previously mentioned, the Coast Guard prefers to retain an elongation requirement for ductile iron while harmonizing with ABS requirements. Therefore, the final rule revise § 56.60-15 to include a requirement that ductile irons exhibit 12 percent elongation in 50 millimeters (2 inches) under a tensile test without the option to pass an impact shock test. As § 58.30-15 references the requirements for ductile iron in § 56.60-2 and § 56.60-15, the elongation and impact shock testing provisions in § 58.30-15 are no longer needed and are removed in the final rule. The final rule also removes the references to § 58.30-15 included in §§ 56.60-10, 56.60-20, and 58.30-5 and the procedures for impact shock testing in § 58.30-17.

Section 58.30-15 also contains elongation and impact shock testing requirements for cast aluminum alloys. As previously mentioned, experience has shown that testing requirements for cast aluminum alloys used in hydraulic components are no longer needed. Additionally, removal of the testing requirements for cast aluminum alloys would harmonize the regulations with ABS rules.

As a result of removing the testing requirements for cast aluminum alloys in § 58.30-15, footnote 16 of table 56.60-2(a), which references the testing requirements of § 58.30-15 and § 58.30-17 is also being removed.

Section 61.20-17 of 46 CFR contains the requirements for tailshaft examination intervals. The current requirements for tailshaft examination intervals are based on the type of lubricant used in the bearing lubrication system. With some exceptions, water-lubricated tailshafts must be drawn and examined at each drydocking. Oil-lubricated bearings need not be drawn and examined if the bearing clearances are taken during drydocking, the inboard seals are examined, the lubricating oil is analyzed, and nondestructive testing is conducted on the connection between the propeller to the tailshaft. The differences in the scope and frequency of inspection are due to the non-corrosive properties of oil. Consequently, the use of an oil-lubricated tailshaft can translate into substantial savings during drydock periods. However, a potential drawback is liability for oil released from leaky seals. As a result, industry demand has spurred development of water-miscible, environmentally safe, non-corrosive lubricants.

The Coast Guard supports the development and use of non-polluting lubricants and has evaluated means for a manufacturer to demonstrate a lubricant's equivalency to oil, based on the lubricant's non-corrosive properties, for purposes of the tailshaft inspection interval. Under this final rule, a water-miscible lubricant tested in accordance with ASTM D 665-92 (Standard Test Method for Rust-Preventing Characteristics of Inhibited Mineral Oil in the Presence of Water) may be considered equivalent to oil for the purposes of the tailshaft inspection interval. Therefore, this final rule incorporates ASTM D 665-92 into the regulations and adds appropriate text into § 61.20-17 explaining the procedures for accepting water-miscible lubricants as equivalent to oil. Additionally, this final rule clarifies the purpose of the tailshaft lubricating oil analysis by explaining that the analysis is to determine the presence of bearing material or other contaminants.

The following table lists the sections that are affected by the removal or the revision of regulations that make a negligible contribution to shipboard safety.

Cite (46 CFR)	CFR change	Subject addressed by regulation
§ 34.10-10	Revision	Firehose nozzles.
§ 34.10-90	Revision	Firehose nozzles.
§ 38.25-10	Revision	Safety relief valves.
§ 56.01-2	Revision	Incorporation by reference.
§ 56.30-25	Revision	Flared, flareless and compression joints.
§ 56.30-35	Revision	Gasketed mechanical couplings.
§ 56.30-40	Removal	Mechanically attached fittings.
§ 56.60-1	Revision	Piping materials.
§ 56.60-2	Revision	Piping materials.
§ 56.60-10	Revision	Cast iron.
§ 56.60-15	Revision	Ductile iron.
§ 56.60-20	Revision	Nonferrous materials.
§ 58.30-5	Revision	Impact shock testing.
§ 58.30-15	Revision	Cast materials.
§ 58.30-17	Removal	Impact shock testing.
Subpart 61.03	New	Incorporation by reference.
§ 61.20-17	Revision	Tailshaft inspections.
§ 76.10-10	Revision	Firehose nozzles.
§ 76.10-90	Revision	Firehose nozzles.
§ 95.10-10	Revision	Firehose nozzles.
§ 95.10-90	Revision	Firehose nozzles.
§ 108.425	Revision	Firehose nozzles.
Subpart 162.027	Revision	Firehose nozzles.
§ 167.45-40	Revision	Firehose nozzles.
§ 193.10-10	Revision	Firehose nozzles.
§ 193.10-90	Revision	Firehose nozzles.

5. *Statutory language repeated.* The regulatory text of the following provisions repeats language or restates requirements from self-executing statutes without any additional regulatory provisions.

Section 26.15-1 of 46 CFR repeats the statutory language of 46 U.S.C. 527e authorizing the Coast Guard to board numbered, uninspected commercial vessels. However, section 527e of 46 U.S.C. was repealed on August 10, 1971 (Pub. L. 92-75, 85 Stat. 228). The authority for the Coast Guard to conduct boardings on uninspected vessels remains in Title 14 U.S.C. 89 and need

not be repeated in the regulations. Therefore, § 26.15-1 is revised to remove the cite to the repealed authorizing statute.

Sections 35.07-5, 35.07-15, 78.37-3, 97.35-3, 97.35-10, 196.35-3, and 196.35-10 of 46 CFR either repeat statutory language or paraphrase statutory requirements for making logbook entries. Subparts 78.03, 97.03, and 196.03 of 46 CFR repeat the possible consequences of a violation of the provisions of 46 CFR and mariners' liability under the suspension and revocation proceedings. Sections 167.65-3 and 196.27-10 of 46 CFR

repeat the statutory language regarding negligent operations of a vessel. Regulations that do not add meaning or additional requirements to self-executing statutes are not useful. Therefore, regulations that only repeat language or summarize requirements from self-executing statutes are not necessary and are being removed or revised.

The following table lists the sections that are affected by the removal or revision of regulations that repeat statutory language.

Cite (46 CFR)	CFR change	Subject addressed by regulation
§ 26.15-1	Revision	Boarding by Coast Guard.
§ 35.07-5	Revision	Logbook entries.
§ 35.07-15	Removal	Logbook entries.
Subpart 78.03	Removal	Statutory penalties.
§ 78.37-3	Revision	Logbook entries.
Subpart 97.03	Removal	Statutory penalties.
§ 97.35-3	Revision	Logbook entries.
§ 97.35-10	Removal	Logbook entries.
§ 167.65-3	Removal	Negligent operations.
Subpart 196.03	Removal	Statutory penalties.
§ 196.27-10	Removal	Negligent operations.
§ 196.35-3	Revision	Logbook entries.
§ 196.35-10	Removal	Logbook entries.

**Incorporation by Reference**

The Director of the Federal Register has approved the material in §§ 56.01-2, 61.03-1, and 162.027-1 for incorporation by reference under 5 U.S.C. 552 and 1 CFR part 51. The

material is available as indicated in these sections.

**Regulatory Evaluation**

This final 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, nor has it been reviewed by the Office of Management and Budget. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11004, February 26, 1979). The Coast

Guard expects the economic impact of this final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

#### Small Entities

Although this final rule is intended to reduce regulatory burden by eliminating redundancy and clarifying compliance requirements, it will not have a significant economic impact on a substantial number of small entities because it amends portions of regulations that—

- (1) Are purely administrative;
  - (2) Do not reflect common marine industry practice;
  - (3) Do not have general applicability;
- or
- (4) Are repeated in other sections.

Additionally, any equipment previously approved under provisions of the regulations being amended by this rule is still considered as approved and need not obtain new approvals.

Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

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

#### Federalism

The Coast Guard has analyzed this final rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environment

The Coast Guard considered the environmental impact of this final rule and concluded that, under paragraph 2.B.2 of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under **ADDRESSES**.

#### List of Subjects

##### *46 CFR Part 15*

Reporting and recordkeeping requirements, Seamen, Vessels.

##### *46 CFR Part 26*

Marine safety, Penalties, Reporting and recordkeeping requirements.

##### *46 CFR Part 31*

Cargo vessels, Marine safety, Reporting and recordkeeping requirements.

##### *46 CFR Part 32*

Cargo vessels, Fire prevention, Marine safety, Navigation (water), Occupational safety and health, Reporting and recordkeeping requirements, Seamen.

##### *46 CFR Part 34*

Cargo vessels, Fire prevention, Marine safety.

##### *46 CFR Part 35*

Cargo vessels, Marine safety, Navigation (water), Occupational safety and health, Reporting and recordkeeping requirements, Seamen.

##### *46 CFR Part 38*

Cargo vessels, Fire prevention, Gases, Hazardous materials transportation, Marine safety, Reporting and recordkeeping requirements.

##### *46 CFR Part 54*

Reporting and recordkeeping requirements, Vessels.

##### *46 CFR Part 56*

Reporting and recordkeeping requirements, Vessels, Incorporation by reference.

##### *46 CFR Part 58*

Reporting and recordkeeping requirements, Vessels.

##### *46 CFR Part 61*

Reporting and recordkeeping requirements, Vessels, Incorporation by reference.

##### *46 CFR Part 72*

Fire prevention, Marine safety, Occupational safety and health, Passenger vessels, Seamen.

##### *46 CFR Part 76*

Fire prevention, Marine safety, Passenger vessels.

##### *46 CFR Part 77*

Marine safety, Navigation (water), Passenger vessels.

##### *46 CFR Part 78*

Marine safety, Navigation (water), Passenger vessels, Penalties, Reporting and recordkeeping requirements.

##### *46 CFR Part 92*

Cargo vessels, Fire prevention, Marine safety, Occupational safety and health, Seamen.

##### *46 CFR Part 95*

Cargo vessels, Fire prevention, Marine safety.

##### *46 CFR Part 96*

Cargo vessels, Marine safety, Navigation (water).

##### *46 CFR Part 97*

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

##### *46 CFR Part 108*

Fire prevention, Marine safety, Occupational safety and health, Oil and gas exploration, Vessels.

##### *46 CFR Part 109*

Marine safety, Occupational safety and health, Oil and gas exploration, Reporting and recordkeeping requirements, Vessels.

##### *46 CFR Part 153*

Administrative practice and procedure, Cargo vessels, Hazardous materials transportation, Marine safety, Reporting and recordkeeping requirements, Water pollution control.

##### *46 CFR Part 160*

Marine safety, Reporting and recordkeeping requirements.

##### *46 CFR Part 162*

Fire prevention, Marine safety, Oil pollution, Reporting and recordkeeping requirements, Incorporation by reference.

##### *46 CFR Part 164*

Fire prevention, Marine safety, Reporting and recordkeeping requirements.

##### *46 CFR Part 167*

Fire prevention, Marine safety, Reporting and recordkeeping requirements, Schools, Seamen, Vessels.

##### *46 CFR Part 168*

Occupational safety and health, Schools, Seamen, Vessels.

##### *46 CFR Part 169*

Fire prevention, Marine safety, Reporting and recordkeeping requirements, Schools, Vessels.

##### *46 CFR Part 189*

Marine safety, Oceanographic research vessels, Reporting and recordkeeping requirements.

##### *46 CFR Part 190*

Fire prevention, Marine safety, Occupational safety and health, Oceanographic research vessels.

**46 CFR Part 193**

Fire prevention, Marine safety, Oceanographic research vessels.

**46 CFR Part 196**

Marine safety, Oceanographic research vessels, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, the Coast Guard amends 46 CFR parts 15, 26, 31, 32, 34, 35, 38, 54, 56, 58, 61, 72, 76, 77, 78, 92, 95, 96, 97, 108, 109, 153, 160, 162, 164, 167, 168, 169, 189, 190, 193, and 196 as follows:

**PART 15—MANNING REQUIREMENTS**

1. The authority citation for part 15 is revised to read as follows:

Authority: 46 U.S.C. 2103, 3703, 8101, 8102, 8104, 8301, 8304, 8502, 8503, 8701, 8702, 8901, 8902, 8903, 8904, 8905(b), 9102; 49 CFR 1.45 and 1.46.

**PART 26—OPERATIONS**

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

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

3. In § 26.15–1, paragraphs (a) and (b) are removed, paragraph (c) is redesignated as paragraph (b), and a new paragraph (a) is added to read as follows:

**§ 26.15–1 May board at any time.**

(a) To facilitate the boarding of vessels by the commissioned, warrant, and petty officers of the U.S. Coast Guard in the exercise of their authority, every uninspected vessel, as defined in 46 U.S.C. 2101(43), if underway and upon being hailed by a Coast Guard vessel, must stop immediately and lay to, or must maneuver in such a way to permit the Coast Guard boarding officer to come aboard. Failure to permit a Coast Guard boarding officer to board a vessel or refusal to comply will subject the operator or owner of the vessel to the penalties provided in law.

\* \* \* \* \*

**PART 31—INSPECTION AND CERTIFICATION**

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

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 2103, 3306, 3703; 49 U.S.C. 5103, 5106; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46; Section 31.10–21a also issued under the authority of Sect. 4109, Pub. L. 101–380, 104 Stat. 515.

**§ 31.10–15 [Amended]**

5. In § 31.10–15, paragraph (a) is amended by removing the words “and in the case of nuclear vessels, at least once every year”.

**PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS**

6. The authority citation for part 32 continues to read as follows:

Authority: 46 U.S.C. 2103, 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46; Subpart 32.59 also issued under the authority of Sect. 4109, Pub. L. 101–380, 104 Stat. 515.

7. Section 32.02–5 is revised to read as follows:

**§ 32.02–5 Communication between deckhouses—TB/OCLB.**

On all tank vessels where the distance between deckhouses is more than 46 meters (150 feet), a fixed means of facilitating communication between both ends of the vessel, such as a raised fore and aft bridge or side tunnels, must be provided. Previously approved arrangements may be retained so long as they are maintained in satisfactory condition to the satisfaction of the Officer in Charge, Marine Inspection.

8. Section 32.15–10 is revised to read as follows:

**§ 32.15–10 Sounding machines—T/OCL.**

All mechanically propelled vessels in ocean or coastwise service of 500 gross tons and over, and all mechanically propelled vessels in of 500 gross tons and over and certificated for service on the River St. Lawrence eastward of the lower exit of the St. Lambert Lock at Montreal, Canada, must be fitted with an efficient electronic deep-sea sounding apparatus.

9. Subpart 32.40 is revised to read as follows:

**Subpart 32.40—Accommodations for Officers and Crew**

- Sec.
- 32.40–1 Application—TB/ALL.
- 32.40–5 Intent—T/ALL.
- 32.40–10 Location of crew spaces—T/ALL.
- 32.40–15 Construction—T/ALL.
- 32.40–20 Sleeping accommodations—T/ALL.
- 32.40–25 Washrooms and toilet rooms—T/ALL.
- 32.40–30 Messrooms—T/ALL.
- 32.40–35 Hospital space—T/ALL.
- 32.40–40 Other spaces—T/ALL.
- 32.40–45 Lighting—T/ALL.
- 32.40–50 Heating and cooling—T/ALL.
- 32.40–55 Insect screens—T/ALL.
- 32.40–60 Crew accommodations on tankships of less than 100 gross tons and manned tank barges—T/ALL.

32.40–65 Crew accommodations on tankships constructed before June 15, 1987—T/ALL.

**Subpart 32.40—Accommodations for Officers and Crew**

**§ 32.40–1 Application—TB/ALL.**

(a) The provisions of this subpart, except § 32.40–60 and § 32.40–65, apply to all tankships of 100 gross tons and over constructed on or after June 15, 1987.

(b) Tankships of less than 100 gross tons and manned tank barges must meet the requirements of § 32.40–60.

(c) Tankships of 100 gross tons and over constructed prior to June 15, 1987, must meet the requirements of § 32.40–65.

**§ 32.40–5 Intent—T/ALL.**

The accommodations provided for officers and crew on all vessels must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged and insulated from undue noise, heat and odors.

**§ 32.40–10 Location of crew spaces—T/ALL.**

(a) Crew quarters must not be located farther forward in the vessel than a vertical plane located at 5 percent of the vessel’s length abaft the forward side of the stem at the designed summer load water line. However, for vessels in other than ocean or coastwise service, this distance need not exceed 8.5 meters (28 feet). For the purposes of this paragraph, the vessel’s length must be as defined in § 43.15–1 of subchapter E (Load Lines) of this chapter. Unless approved by the Commandant, no section of the deck head of the crew spaces may be below the deepest load line.

(b) There must be no direct communication, except through solid, close fitted doors or hatches between crew spaces and chain lockers, or machinery spaces.

**§ 32.40–15 Construction—T/ALL.**

All crew spaces are to be constructed and arranged in a manner suitable to the purpose for which they are intended and so that they can be kept in a clean, workable and sanitary condition.

**§ 32.40–20 Sleeping accommodations—T/ALL.**

(a) Where practicable, each licensed officer shall be provided with a separate stateroom.

(b) Sleeping accommodations for the crew must be divided into rooms, no one of which may berth more than 4 persons.

(c) Each room must be of such size that there is at least 2.78 square meters

(30 square feet) of deck area and a volume of at least 5.8 cubic meters (210 cubic feet) for each person accommodated. The clear head room must not be less than 190 centimeters (75 inches). In measuring sleeping accommodations any furnishings contained therein for the use of the occupants are not to be deducted from the total volume or from the deck area.

(d) Each person shall have a separate berth and not more than one berth may be placed above another. The berth must be composed of materials not likely to corrode. The overall size of a berth must not be less than 68 centimeters (27 inches) wide by 190 centimeters (75 inches) long, except by special permission of the Commandant. Where two tiers of berths are fitted, the bottom of the lower berth must not be less than 30 centimeters (12 inches) above the deck. The berths must not be obstructed by pipes, ventilating ducts, or other installations.

(e) A locker must be provided for each person accommodated in a room.

**§ 32.40–25 Washrooms and toilet rooms—T/ALL.**

(a) At least 1 toilet, 1 washbasin, and 1 shower or bathtub must be provided for each 8 members or portion thereof in the crew who do not occupy sleeping accommodations to which private or semi-private facilities are attached.

(b) The toilet rooms and washrooms must be located convenient to the sleeping quarters of the crew to which they are allotted but must not open directly into such quarters except when they are provided as private or semi-private facilities.

(c) All washbasins, showers, and bathtubs must be equipped with adequate plumbing, including hot and cold running water. All toilets must be installed with adequate plumbing for flushing.

(d) At least 1 washbasin must be fitted in each toilet room, except where private or semi-private facilities are provided and washbasins are installed in the sleeping rooms.

(e) Where more than 1 toilet is located in a space or compartment, each toilet must be separated by partitions.

**§ 32.40–30 Messrooms—T/ALL.**

(a) Messrooms must be located as near to the galley as is practicable except where the messroom is equipped with a steam table.

(b) Each messroom must seat the number of persons expected to eat in the messroom at one time.

**§ 32.40–35 Hospital space—T/ALL.**

(a) Each vessel which in the ordinary course of its trade makes voyages of

more than 3 days duration between ports and which carries a crew of 12 or more, must be provided with a hospital space. This space must be situated with due regard to the comfort of the sick so that they may receive proper attention in all weathers.

(b) The hospital must be suitably separated from other spaces and must be used for the care of the sick and for no other purpose.

(c) The hospital must be fitted with berths in the ratio of 1 berth to every 12 members of the crew or portion thereof who are not berthed in single occupancy rooms, but the number of berths need not exceed 6.

(d) The hospital must have a toilet, washbasin, and bathtub or shower conveniently situated. Other necessary suitable equipment such as a clothes locker, a table, and a seat must be provided.

**§ 32.40–40 Other spaces—T/ALL.**

Each vessel must have—

(a) Sufficient facilities where the crew may wash and dry their own clothes, including at least 1 sink supplied with hot and cold fresh water;

(b) Recreation spaces; and

(c) A space or spaces of adequate size available on an open deck to which the crew has access when off duty.

**§ 32.40–45 Lighting—T/ALL.**

Each berth must have a light.

**§ 32.40–50 Heating and cooling—T/ALL.**

(a) All manned spaces must be adequately heated and cooled in a manner suitable to the purpose of the space.

(b) The heating and cooling system for accommodations must be capable of maintaining a temperature of 21 °C (70 °F) under normal operating conditions without curtailing ventilation.

(c) Radiators and other heating apparatus must be so placed and shielded, where necessary, to avoid risk of fire, danger or discomfort to the occupants. Pipes leading to radiators or heating apparatus must be insulated where those pipes create a hazard to persons occupying the space.

**§ 32.40–55 Insect screens—T/ALL.**

Provisions shall be made to protect the crew quarters against the admission of insects.

**§ 32.40–60 Crew accommodations on tankships of less than 100 gross tons and manned tank barges—TB/ALL.**

(a) The crew accommodations on all tankships of less than 100 gross tons and all manned tank barges must have sufficient size and equipment, and be adequately constructed to provide for

the protection of the crew in manner practicable for the size, facilities, and service of the tank vessel.

(b) The crew accommodations must be consistent with the principles underlying the requirements for crew accommodations of tankships of 100 gross tons or more.

**§ 32.40–65 Crew accommodations on tankships constructed before June 15, 1987—T/ALL.**

All tankships of 100 gross tons and over constructed before June 15, 1987, may retain previously accepted or approved installations and arrangements so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

**Subpart 32.95 (§ 32.95–1)—[Removed]**

10. Subpart 32.95 consisting of § 32.95–1 is removed.

**PART 34—FIRE FIGHTING EQUIPMENT**

11. The authority citation for part 34 continues to read as follows:

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

12. In § 34.05–5, paragraphs (a), (a)(1), (a)(1), (a)(2) (a)(3) and (a)(4) are revised to read as follows:

**§ 34.05–5 Fire extinguishing systems—T/ALL.**

(a) Approved fire extinguishing systems must be installed on all tankships in the following locations. Previously approved installations may be retained as long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(1) *Dry cargo compartments.* A carbon dioxide or water spray system must be installed for the protection of all dry cargo compartments. Where such compartments are readily accessible by means of doors such spaces need be protected only by the fire main system.

(2) *Cargo tanks.* A deck foam system must be installed for the protection of all cargo tank spaces. Where a deck foam system is installed, an approved inert gas, steam or other system may also be installed for the purposes of fire prevention or inerting of cargo tanks. For vessels under 100 feet in length, the semiportable equipment required by footnote 1 of table 34.05–5(a) will be considered as meeting the requirements of this subparagraph.

(3) *Lamp and paint lockers and similar spaces.* A carbon dioxide or water spray system must be installed in

all lamp and paint lockers, oil rooms, and similar spaces.

(4) *Pumprooms*. A carbon dioxide, inert gas, foam or water spray system must be installed for the protection of all pumprooms.

\* \* \* \* \*

**§ 34.05-15 [Removed]**

13. Section 34.05-15 is removed.

14. In § 34.10-10, paragraphs (e), (e-1) and (n) are removed, table 34.10-10(E-1) is redesignated as table 34.10-10(E), paragraphs (f) through (m) are redesignated as paragraphs (g) through (n), respectively, and new paragraphs (e), (f) and (o) are added to read as follows:

**§ 34.10-10 Fire station hydrants, hose, and nozzles—T/ALL.**

\* \* \* \* \*

(e) Each fire station hydrant must have at least 1 length of firehose. Each firehose on the hydrant must have a combination solid stream and water spray firehose nozzle that meets the requirements in subpart 162.027 of this chapter. Firehose nozzles previously approved under subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. A suitable hose rack or other device must be provided. Hose racks on weather decks must be located to afford protection from heavy seas. The hose must be stored in a location that is readily visible.

(f) Each combination firehose nozzle previously approved under subpart 162.027 of this chapter in the locations listed in table 34.10-10(E) must have a low-velocity water spray applicator also previously approved under subpart 162.027 of this chapter that is of the length listed in that table.

\* \* \* \* \*

(o) Each low-velocity water spray applicator under paragraph (f) of this section must have fixed brackets, hooks, or other means for stowing next to the hydrant.

15. In § 34.10-90, paragraphs (a)(12) and (a)(13) are removed, paragraph (a)(14) is redesignated as (a)(12) and paragraphs (a)(10), (a)(11) and (b)(2) are revised to read as follows:

**§ 34.10-90 Installations contracted for prior to May 26, 1965—T/ALL.**

(a) \* \* \*

(10) Each fire station hydrant on a tankship of 500 gross tons or more must have at least 1 length of firehose. Each firehose on the hydrant must have a combination solid stream and water spray firehose nozzle that meets the requirements of subpart 162.027.

Firehose nozzles previously approved under subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(11) On each tankship of 1000 gross tons or more, the firehose nozzle required by paragraph (a)(10) of this section on each of the following hydrants must have a low-velocity water-spray applicator that was previously approved under subpart 162.027 and that connects to that nozzle when the nozzle itself was previously approved under subpart 162.027—

(i) At least two hydrants in the Machinery and boiler spaces; and

(ii) At least 25 percent of other hydrants.

\* \* \* \* \*

(b) \* \* \*

(2) Each fire station hydrant must have at least 1 length of firehose. Each firehose on the hydrant must have a combination solid stream and water spray firehose nozzle that meets the requirements of subpart 162.027. Firehose nozzles previously approved under subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. If the firehose nozzles were previously approved under subpart 162.027, each of the number of hydrants in the locations listed in table 34.10-10(E) must have a low-velocity water spray applicator that—

(i) Was previously approved under subpart 162.027 of this chapter;

(ii) Is the length listed in table 34.10-10(E); and

(iii) Meets § 34.10-10(o).

16. Subpart 34.13 consisting of § 34.13-1 is revised to read as follows:

**Subpart 34.13—Steam Smothering Systems**

**§ 34.13-1 Application—T/ALL.**

Steam smothering fire extinguishing systems are not permitted on vessels contracted for on or after January 1, 1962. Previously approved installations may be retained as long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

**Subpart 34.55 (§§ 34.55-1, 34.55-5 and 34.55-10)—[Removed]**

17. Subpart 34.55 consisting of §§ 34.55-1, 34.55-5 and 34.55-10 is removed.

**PART 35—OPERATIONS**

18. The authority citation for part 35 continues to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 3703, 6101; 49 U.S.C. 5103, 5106; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

**§ 35.01-5 [Amended]**

19. In § 35.01-5, paragraphs, (b) and (c) are removed and the paragraph designation “(a)” is removed from paragraph (a).

20. Section 35.07-5 is revised to read as follows:

**§ 35.07-5 Logbooks and records—TB/ALL.**

(a) The master or person in charge of a vessel that is required by 46 U.S.C. 11301 to have an official logbook shall maintain the logbook on form CG-706. The official logbook is available free to masters of U.S.-flag vessels from the officer in Charge, Marine Inspection, as form CG-706B or CG-706C, depending on the number of persons employed in the crew. When the voyage is completed, the master or person in charge shall file the logbook with the Officer in Charge, Marine Inspection.

(b) The master or person in charge of a vessel that is not required by 46 U.S.C. 11301 to have an official logbook, shall maintain, on board, an unofficial logbook or record in any form desired for the purposes of making entries therein as required by law or regulations in this subchapter. Such logs or records are not filed with the Officer in Charge, Marine Inspection, but must be kept available for review by a marine inspector for a period of 1 year after the date to which the records refer. Separate records of tests and inspections of fire fighting equipment must be maintained with the vessel’s logs for the period of validity of the vessel’s certificate of inspection.

**§ 35.07-15 [Removed]**

21. Section 35.07-15 is removed.

**§ 35.10-5 [Amended]**

22. In § 35.10-5, paragraph (g) is removed and paragraphs (h) and (i) are redesignated as paragraphs (g) and (h), respectively.

23. Subpart 35.12 consisting of §§ 35.12-1 and 35.12-5 is revised to read as follows:

**Subpart 35.12—Placaid of Lifesaving Signals**

Sec.  
35.12-1 Application—T/OCLB.  
35.12-5 Availability—T/OCLB.

**Subpart 35.12—Placard of Lifesaving Signals**

**§ 35.12-1 Application—T/OCLB.**

The provisions of this subpart apply to all vessels on an international voyage, and all other vessels of 150 gross tons or over in oceans, coastwise, or Great Lake service.

**§ 35.12-5 Availability—T/OCLB.**

On all vessels to which this subpart applies there must be readily available to the deck officer of the watch a placard containing instructions for the use of the lifesaving signals set forth in regulations 16, chapter V, of the International Convention for Safety of Life at Sea, 1974. These signals must be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

**§ 35.20-15 [Removed]**

24. Section 35.20-15 is removed.

**§ 35.20-25 [Removed]**

25. Section 35.20-25 is removed.

26. Section 35.20-30 is revised to read as follows:

**§ 35.20-30 Flashing the rays of a searchlight or other blinding light—T/ALL.**

No person shall flash, or cause to be flashed, the rays of a search light or other blinding light onto the bridge or into the pilothouse of any vessel under way.

27. Section 35.20-35 is revised to read as follows:

**§ 35.20-35 Whistling—T/All.**

The unnecessary sounding of a vessel's whistle is prohibited within any harbor limits of the United States.

28. Section 35.25-1 is revised to read as follows:

**§ 35.25-1 Examination of boilers and machinery by engineer—T/ALL.**

It shall be the duty of an engineer when assuming charge of the boilers to examine the same forthwith and thoroughly. If any part thereof is found in bad condition, the engineer shall immediately report the facts to the master, owner, or agent, and to the nearest Officer in Charge, Marine Inspection.

**§ 35.30-45 [Removed]**

29. Section 35.30-45 is removed.

**Subpart 35.70 (§ 35.70-1—35.70-35)—[Removed]**

30. Subpart 35.70 consisting of §§ 35.70-1 through 35.70-35 is removed.

**PART 38—LIQUEFIED FLAMMABLE GASES**

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

Authority: 46 U.S.C. 2103, 3306, 3703; 49 U.S.C. 5101, 5106; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

32. In § 38.25-10, paragraph (b) is revised to read as follows:

**§ 38.25-10 Safety relief valves—TB/ALL.**

\* \* \* \* \*

(b) The safety relief valve discs must be lifted from their seats in the presence of a marine inspector by either liquid, gas, or vapor pressure at least once every 5 years to determine the accuracy of adjustment and, if necessary, must be reset.

**PART 54—PRESSURE VESSELS**

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

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

**§ 54.01-1 [Amended]**

34. In § 54.01-1, paragraph (b) is amended by removing the incorporation by reference entry for the Tubular Exchanger Manufacturers Association.

**§ 54.01-3 [Removed]**

35. Section 54.01-3 is removed.

**§ 54.01-5 [Amended]**

36. In § 54.01-5, paragraph (d)(5) is amended by adding the word "and" after the semicolon, paragraph (d)(6) is removed, paragraph (d)(7) is designated as paragraph (d)(6) and footnote 8 is removed from table 54.01-5(b).

**PART 56—PIPING SYSTEMS AND APPURTENANCES**

37. The authority citation for part 56 continues to read as follows:

Authority: 33 U.S.C. 1321(j), 1509; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

38. In § 56.01-2, paragraph (b) is amended by adding in numerical order of the standards incorporated by reference from the American Society for Testing and Materials (ASTM) the following additional standards:

**§ 56.01-2 Incorporation by reference.**

\* \* \* \* \*

(b) \* \* \*

ASTM F 1387-93 Standard Specification for Performance of Mechanically Attached Fittings, including supplementary requirements and annex—56.30-25

ASTM F 1476-93 Standard Specification for Performance of Gasketed Mechanical Couplings for Use in Piping Applications, including annex—56-30-35

ASTM F 1548-94 Standard specification for Performance of Fittings for Use with Gasketed Mechanical Couplings for Use in Piping Applications—56.30-35

\* \* \* \* \*

39. Section 56.30-25 is revised to read as follows:

**§ 56.30-25 Flared, flareless, and compression fittings.**

(a) This section applies to pipe fittings that are mechanically connected to pipe by such means as ferrules, flared ends, swaging, elastic strain preload, crimping, bite-type devices, and shape memory alloys. Fittings to which this section applies must be designed, constructed, tested, and marked in accordance with ASTM F 1387-93. Previously approved fittings may be retained as long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(b) Flared, flareless and compression fittings may be used within the service limitations of size, pressure, temperature, and vibration recommended by the manufacturer and as specified in this section.

(c) Flared, flareless, and compression type tubing fittings may be used for tube sizes not exceeding 50 millimeters (2 inches) outside diameter within the limitations of applicable standards and specifications listed in this section and § 56.60-1 of this part.

(d) Flareless fittings must be of a design in which the gripping member or sleeve must grip or bite into the outer surface of the tube with sufficient strength to hold the tube against pressure, but without appreciably distorting the inside tube diameter or reducing the wall thickness. The gripping member must also form a pressure seal against the fitting body.

(e) For fluid services, other than hydraulic systems, using a combustible fluid as defined in § 30.10-15 of this chapter and for fluid services using a flammable fluid as defined in § 30.10-22 of this chapter, flared fittings must be used; except that flareless fittings of the nonbite type may be used when the tubing system is of steel, nickel copper, or copper zinc alloy. When using copper or copper-zinc alloy, flared fittings are required. (See also § 56.50-70 for gasoline fuel systems, § 56.60-75 for

diesel fuel systems, and § 58.25–20 for hydraulic systems for steering gear.)  
 40. Section 56.30–35 is revised to read as follows:

**§ 56.30–35 Gasketed mechanical couplings.**

(a) This section applied to pipe fittings that form a seal by compressing a resilient gasket onto the pipe joint primarily by threaded fasteners and where joint creep is only restricted by such means as machined grooves, centering pins, or welded clips. Fittings to which this section applies must be designed, constructed, tested, and marked in accordance with ASTM F 1476–93 and ASTM F 1548–94. Previously approved fittings may be retained as long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(b) Gasketed mechanical couplings may be used within the service limitations of pressure, temperature and vibration recommended by the manufacturer, except that gasketed mechanical couplings must not be used in—

(1) Any location where leakage, undetected flooding or impingement of liquid on vital equipment may disable the vessel; or

(2) In tanks where the liquid conveyed in the piping system is not chemically compatible with the liquid in the tank.

(c) Gasketed mechanical couplings must not be used as expansion joints. Positive restraints must be included, where necessary, to prevent the coupling from creeping on the pipe and uncovering the joint. Bite-type devices do not provide positive protection against creep and are generally not accepted for this purpose. Machined grooves, centering pins, and welded clips are considered positive means of protection against creep.

**§ 56.50–100 [Removed]**

41. Section 56.50–100 is removed.

**§ 56.60–1 [Amended]**

42. In § 56.60–1, table 56.60–(a), the table's heading is revised and an entry for ASTM A 536–83 ductile iron and footnote <sup>20</sup> are added to "Castings <sup>13</sup> iron:" to read as follows:

Table 56.60–1(a)—ADOPTED SPECIFICATIONS AND STANDARDS (REPLACES TABLE 126.1)

\* \* \* \* \*

A 536 Ductile iron—See footnote 20—<sup>(20)</sup>.

\* \* \* \* \*

<sup>20</sup>Limited to pipe fittings and valves. See § 56.60–15(d) for additional information.

**§ 56.60–2 [Amended]**

43. In § 56.60–2, table 56.60–2(a), footnote 16 and the references to footnote 16 for B26 and B85 castings are removed.

**§ 56.60–10 [Amended]**

44. In § 56.60–10, paragraph (d) is removed.

45. In § 56.60–15, paragraph (b) introductory text, is revised and a new paragraph (d) is added to read as follows:

**§ 56.60–15 Ductile iron.**

\* \* \* \* \*

(b) Ductile iron castings conforming to ASTM A 395 may be used in hydraulic systems at pressures in excess of 7500 kilopascals (1000 pounds per square inch) gage, provided the following:

\* \* \* \* \*

(d) Ductile iron castings exhibiting less than 12 percent elongation in 50 millimeters (2 inches) when subjected to a tensile test must meet the requirements for cast iron in this part.

**§ 56.60–20 [Amended]**

46. In § 56.60–20, paragraph (b) is removed, the designation "(a)" is removed from paragraph (a), and paragraphs (a)(1) through (a)(4) are redesignated as paragraphs (a) through (d).

**PART 58—MAIN AND AUXILIARY MACHINERY AND RELATED SYSTEMS**

47. The authority citation for part 58 continues to read as follows:

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

48. In § 58.30–5, paragraph (a) is revised to read as follows:

**§ 58.30–5 Design requirements.**

(a) The requirements of part 56 are also applicable to piping and fittings in fluid power and control systems listed in § 58.30–1 of this part, except as modified herein. The designer should consider the additional pressure due to hydraulic shock and should also consider the rate of pressure rise caused by hydraulic shock.

\* \* \* \* \*

**§ 58.30–15 [Amended]**

49. In § 58.30–15, paragraph (f) is removed and paragraph (g) is redesignated as paragraph (f).

**§ 58.30–17 [Removed]**

50. Section 58.30–17 is removed.

**PART 61—PERIODIC TESTS AND INSPECTIONS**

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

Authority: 43 U.S.C. 1333; 46 U.S.C. 2103, 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46

52. Subpart 61.03, consisting of § 61.03–1, is added to read as follows:

**Subpart 61.03—Incorporation of Standards**

**§ 61.03–1 Incorporation by reference.**

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish a notice of change in the Federal Register and the material must be available to the public. All approved material available for inspection at the Office of the Federal Register, 800 North Capital Street NW., suite 700, Washington, DC and at the U.S. Coast Guard, Design and Engineering Standards Division (G–MMS), 2100 Second Street SW., Washington, DC and is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the sections affected are as follows:

*American Society for Testing and Materials (ASTM) 1916 Race Street, Philadelphia, PA 19103*

ASTM D 665–92, Standard Test Method for Rust-Preventing Characteristics of Inhibited Mineral Oil in the Presence of Water, 1992–61.20–17

**§ 61.05–5 [Amended]**

53. In § 61.05–5, paragraph (a) is removed and paragraphs (b) and (c) are redesignated as paragraphs (a) and (b), respectively.

54. Section 61.20–17 is revised to read as follows:

**§ 61.20–17 Examination intervals.**

(a) A lubricant that demonstrates the corrosion inhibiting properties of oil when tested in accordance with ASTM D 665–92 is considered to be equivalent to oil for the purposes of the tailshaft examination interval.

(b) Except as provided in paragraphs (c) through (f) of this section, each tailshaft on a vessel must be examined twice within any 5 year period. No more than 3 years may elapse between any 2 tailshaft examinations.

(c) Tailshafts on vessels fitted with multiple shafts must be examined once every 5 years.

(d) Tailshafts with inaccessible portions fabricated of materials resistant to corrosion by sea water, or fitted with a continuous liner or a sealing gland which prevents sea water from contacting the shaft, must be examined once every 5 years if they are constructed or fitted with a taper, keyway, and propeller designed in accordance with the American Bureau of Shipping standards to reduce stress concentrations or are fitted with a flanged propeller. Accessible portions of tailshafts must be examined visually during each drydock examination.

(e) Tailshafts with oil lubricated bearings, including bearings lubricated with a substance considered to be equivalent to oil under the provisions of paragraph (a) of this section need not be drawn for examination—

(1) If tailshaft bearing clearance readings are taken whenever the vessel undergoes a drydock examination or underwater survey;

(2) If the inboard seal assemblies are examined whenever the vessel undergoes a drydock examination or underwater survey;

(3) If an analysis of the tailshaft bearing lubricant is performed semiannually in accordance with the lubrication system manufacturer's recommendations to determine bearing material content or the presence of other contaminants; and

(4) If—

(i) For tailshafts with a taper, the propeller is removed and the taper and the keyway (if fitted) are nondestructively tested at intervals not to exceed 5 years; or

(ii) For tailshafts with a propeller fitted to the shaft by means of a coupling flange, the propeller coupling bolts and flange radius are nondestructively tested whenever they are removed or made accessible in connection with overhaul or repairs.

(f) Tailshafts on mobile offshore drilling units are not subject to examination intervals under paragraphs (b) through (d) of this section if they are—

(1) Examined during each regularly scheduled drydocking; or

(2) Regularly examined in a manner acceptable to the Commandant (G-MCO).

#### § 61.30-5 [Amended]

55. In § 61.30-5, paragraph (a) is removed and the paragraph designation "(b)" is removed from paragraph (b).

### PART 72—CONSTRUCTION AND ARRANGEMENT

56. The authority citation for part 72 continues to read as follows:

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

#### § 72.05-60 [Removed]

57. Section 72.05-60 is removed.

58. Subpart 72.20 is revised to read as follows:

#### Subpart 72.20—Accommodations for Officers and Crew

Sec.

- 72.20-1 Application.
- 72.20-5 Intent.
- 72.20-10 Location of crew spaces.
- 72.20-15 Construction.
- 72.20-20 Sleeping accommodations.
- 72.20-25 Washrooms and toilet rooms.
- 72.20-30 Messrooms.
- 72.20-35 Hospital space.
- 72.20-40 Other spaces.
- 72.20-45 Lighting.
- 72.20-50 Heating and cooling.
- 72.20-55 Insect screens.
- 72.20-90 Vessels contracted for prior to November 19, 1952.

#### Subpart 72.20—Accommodations for Officers and Crew

##### § 72.20-1 Application.

The provisions of this part, except § 72.20-90, apply to all vessels contracted for after November 18, 1952. Vessels contracted for before November 19, 1952, must meet the requirements of § 72.20-90.

##### § 72.20-5 Intent.

Accommodations provided for officers and crew on all vessels shall be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and insulated from undue noise, heat, and odors.

##### § 72.20-10 Location of crew spaces.

(a) Crew quarters must not be located farther forward in the vessel than a vertical plane located at 5 percent of the vessel's length abaft the forward side of the stem at the designed summer load water line. However, for vessels in other than ocean or coastwise service, this distance need not exceed 8.5 meters (28 feet). For the purpose of this paragraph, the vessel's length must be as defined in § 43.15-1 of subchapter E (Load Lines) of this chapter. Unless approved by the Commandant, no section of the deck head of the crew spaces may be below the deepest load line.

(b) There must be no direct communication, except through solid, close fitted doors or hatches between crew spaces and chain lockers, or machinery spaces.

##### § 72.20-15 Construction.

All crew spaces are to be constructed and arranged in a manner suitable to the purpose for which they are intended

and so that they can be kept in a clean, workable, and sanitary condition.

#### § 72.20-20 Sleeping accommodations.

(a) Where practicable, each licensed officer shall be provided with a separate stateroom.

(b) Sleeping accommodations for the crew must be divided into rooms, no one of which shall berth more than 4 persons.

(c) Each room shall be of such size that there is at least 2.78 square meters (30 square feet) of deck area and a volume of at least 5.8 cubic meters (210 cubic feet) for each person accommodated. The clear head room shall be not less than 190 centimeters (75 inches). In measuring sleeping accommodations any furnishings contained therein for the use of the occupants are not to be deducted from the total volume or from the deck area.

(d) Each persons shall have a separate berth and not more than one berth may be placed above another. The berth must be composed of materials not likely to corrode. The overall size of a berth must not be less than 68 centimeters (27 inches) wide by 190 centimeters (75 inches) long, except by special permission of the Commandant. Where two tiers of berths are fitted, the bottom of the lower berth must not be less than 30 centimeters (12 inches) above the deck. The berths must not be obstructed by pipes, ventilating ducts, or other installations.

(e) A locker must be provided for each person accommodated in a room.

#### § 72.20-25 Washrooms and toilet rooms.

(a) There must be at least 1 toilet, 1 washbasin, and 1 shower or bathtub for each 8 members or portion thereof in the crew who do not occupy sleeping accommodations to which private or semi-private facilities are attached.

(b) The toilet rooms and washrooms shall be located convenient to the sleeping quarters of the crew to which they are allotted but must not open directly into such quarters except when they are provided as private or semi-private facilities.

(c) All washbasins, showers, and bathtubs must be equipped with adequate plumbing, including hot and cold running water. All toilets must be installed with adequate plumbing for flushing.

(d) At least 1 washbasin must be fitted in each toilet room, except where private or semi-private facilities are provided and washbasins are installed in the sleeping rooms.

(e) Where more than 1 toilet is located in a space or compartment, each toilet must be separate by partitions.

**§ 72.20-30 Messrooms.**

(a) Messrooms must be located as near to the galley as practicable except where the messroom is equipped with a steam table.

(b) Each messroom must seat the number of persons expected to eat in the messroom at one time.

**§ 72.20-35 Hospital space.**

(a) Each vessel which in the ordinary course of its trade makes voyages of more than 3 days duration between ports and which carries a crew of 12 or more, must be provided with a hospital space. This space must be situated with due regard to the comfort of the sick so that they may receive proper attention in all weathers.

(b) The hospital must be suitably separated from other spaces and must be used for the care of the sick and for no other purpose.

(c) The hospital must be fitted with berths in the ratio of 1 berth to every 12 members of the crew, or portion thereof, who are not berthed in single occupancy rooms, but the number of berths need not exceed 6.

(d) The hospital must have a toilet, washbasin, and bathtub or shower conveniently situated. Other necessary suitable equipment such as a clothes locker, a table, and a seat must be provided.

**§ 72.20-40 Other spaces.**

Each vessel must have—

(a) Sufficient facilities where the crew may wash and dry their own clothes, including at least 1 sink supplied with hot and cold fresh water;

(b) Recreation spaces; and

(c) A space or spaces of adequate size on an open deck to which the crew has access when off duty.

**§ 72.20-45 Lighting.**

Each berth must have a light.

**§ 72.20-50 Heating and cooling.**

(a) All manned spaces must be adequately heated and cooled in a manner suitable to the purpose of the space.

(b) The heating and cooling system for accommodations must be capable of maintaining a temperature of 21°C (70°F) under normal operating conditions without curtailing ventilation.

(c) Radiators and other heating apparatus must be so placed and shielded, where necessary, to avoid risk of fire, danger or discomfort to the occupants. Pipes leading to radiators or heating apparatus must be insulated where those pipes create a hazard to persons occupying the space.

**§ 72.20-55 Insect screens.**

Provisions must be made to protect the crew quarters against the admission of insects.

**§ 72.20-90 Vessels contracted for prior to November 19, 1952.**

(a) Vessels of 100 gross tons and over, contracted for prior to March 4, 1915, must meet the requirements of this paragraph.

(1) Existing structure, arrangements, materials, and facilities, previously approved will be considered satisfactory so long as they are maintained in a suitable condition to the satisfaction of the Officer in Charge, Marine Inspection.

(2) Minor repairs and alterations may be made to the same standard as the original construction provided that in no case will a greater departure from the standards of §§ 72.20-5 through 72.20-55 be permitted than presently exists.

(b) Vessels of 100 gross tons and over, contracted for on or after March 4, 1915, but prior to January 1, 1941, must meet the following requirements:

(1) Existing structure, arrangements, materials, and facilities, previously accepted or approved will be considered satisfactory so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs and alterations may be made to the same standard as the original construction.

(2) Where reasonable and practicable, a minimum of 1 toilet, shower, and washbasin must be provided for each 10 members of the crew or fraction thereof.

(3) Crew spaces must have a volume of at least 3.4 cubic meters (120 cubic feet) and a deck area of at least 1.5 square meters (16 square feet) for each person accommodated.

(4) Each crewmember shall have a separate berth, and berths may not be placed more than 2 high.

(5) Each vessel, which in the ordinary course of its trade makes a voyage of more than 3 days duration between ports and which carries a crew of 12 or more persons, must be provided with a suitable hospital space for the exclusive use of the sick or injured. Berths must be provided in the ratio of 1 berth for each 12 members of the crew or fraction thereof, but the number of berths need not exceed 6.

(6) The crew spaces must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, and arranged, and, where practicable, must be insulated from undue noise and odors.

(d) Vessels of 100 gross tons and over, contracted for on or after January 1, 1941, but prior to November 19, 1952,

must meet the requirements of this paragraph.

(1) Existing structure, arrangements, materials, and facilities, previously accepted or approved will be considered satisfactory so long as they are maintained in a good condition to the satisfaction of the Office in Charge, Marine Inspection. Minor repairs and alterations may be made to the same standard as the original construction.

(2) There must be a minimum of 1 toilet, 1 shower, and 1 washbasin for each 8 members of the crew or fraction thereof who are not accommodated in rooms having attached private or semi-private facilities. Washbasins, showers, and bathtubs, if substituted for showers, must be equipped with adequate plumbing, including hot and cold running water.

(3) Crew spaces must have a volume of at least 3.4 cubic meters (120 cubic feet) and a deck of at least 1.5 square meters (16 square feet) for each person accommodated.

(4) Each crewmember shall have a separate berth, and berths may not be placed more than two high.

(5) Each vessel, which in the ordinary course of its trade makes a voyage of more than 3 days duration between ports and which carries a crew of 12 or more persons, must be provided with a suitable hospital space for the exclusive use of the sick or injured. Berths must be provided in the ratio of 1 berth for each 12 members of the crew or fraction thereof, but the member of berths need not exceed 6.

(6) The crew spaces must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, and arranged, and, where practicable, must be insulated from undue noise heat, and odors.

**PART 76—FIRE PROTECTION EQUIPMENT**

59. The authority citation for part 76 continues to read as follows:

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

60. Section 76.05-20 is revised to read as follows:

**§ 76.05-20 Fixed fire extinguishing systems.**

Approved fire extinguishing systems must be installed, as required by table 76.05-1(a) on all self-propelled vessels and on all barges with sleeping accommodations for more than subpart persons. Previously approved installations may be retained as long as they are maintained in good condition

to the satisfaction of the Officer in Charge, Marine Inspection.

**§ 76.05–30 [Removed]**

61. Section 76.05–30 is removed.

62. In § 76.10–10, paragraphs (j–1), (j–2), and (l) are removed, paragraph (k) is redesignated as paragraph (m), paragraph (j) is revised, and new paragraphs (k), (l), and (n) are added to read as follows:

**§ 76.10–10 Fire hydrants and hose.**

\* \* \* \* \*

(j) Each firehose on each hydrant must have a combination solid stream and water spray firehose nozzle that meets the requirements in subpart 162.027 of this chapter. Firehose nozzles previously approved under subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(k) Firehose nozzles previously approved under subpart 162.027 of this chapter must have low-velocity water spray applicators also previously approved under subpart 162.027 of this chapter as follows—

(1) In accommodation and service areas—two firehoses; and

(2) In each propulsion machinery space containing an oil-fired boiler, internal combustion machinery, or oil fuel unit on a vessel on an international voyage or of 1000 gross tons or more—each firehose. The length of each applicator must be not more than 1.8 meters (6 feet).

(l) Fixed brackets, hooks, or other means for stowing an applicator must be next to each fire hydrant that has an applicator under paragraph (k) of this section.

\* \* \* \* \*

(n) Firehose and couplings must be as follows:

(1) Couplings must be of brass, bronze, or other equivalent metal. National Standard firehose coupling threads must be used for the 38 millimeters (1½ inch) and 64 millimeters (2½ inch) sizes.

(2) Each section of firehose must be lined commercial firehose that conforms to Underwriters' Laboratories, Inc. Standard 19 or Federal Specification ZZ–H–451E. Hose that bears the label of Underwriters' Laboratories, Inc. as lined firehose is accepted as conforming to this requirement.

63. In § 76.10–90, paragraph (a)(7) is removed and paragraph (a)(6) is revised to read as follows:

**§ 76.10–90 Installations contracted for prior to May 26, 1995.**

(a) \* \* \*

(6) Firehose nozzles and low-velocity spray applicators must meet the requirements of §§ 76.10–10(j), 76.10–10(k), and 76.10–10(l)

64. Subpart 76.13 consisting of § 76.13–1 is revised to read as follows:

**Subpart 76.13—Steam Smothering Systems**

**§ 76.13–1 Application.**

Steam smothering systems are not permitted on vessels contracted for on or after January 1, 1962. Previously approved installations may be retained as long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

**PART 77—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT**

65. The authority citation for part 77 continues to read as follows:

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

66. Section 77.27–1 is revised to read as follows:

**§ 77.27–1 When required.**

All mechanically propelled vessels of 500 gross tons and over to ocean or coastwise service, and all mechanically propelled vessels of 500 gross tons and over in Great Lakes service and certificated for service on the River St. Lawrence eastward of the lower exit of the St. Lambert Lock at Montreal, Canada, must be fitted with an efficient electronic deep-sea sounding apparatus.

**PART 78—OPERATION**

67. The authority citation for part 78 is revised to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 2103, 3306, 6101; 49 U.S.C. 5103, 5106; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

**Subpart 78.03 (§ 78.03–1)—[Removed]**

68. Subpart 78.03 consisting of § 78.03–1 is removed.

**Subpart 78.20 (§ 78.20–1)—[Removed]**

69. Subpart 78.20 consisting of § 78.20–1 is removed.

**Subpart 78.25 (§ 78.25–1)—[Removed]**

70. Subpart 78.25 consisting of § 78.25–1 is removed.

71. Subpart 78.35 consisting of § 78.35–1 is revised to read as follows:

**Subpart 78.35—Communication Between Deckhouses**

**§ 78.35–1 When required.**

On all vessels navigating in other than protected waters, where the distance between deckhouses is more than 46 meters (150 feet) a fixed means of facilitating communication between both ends of the vessel, such as a raised fore and aft bridge or side tunnels, must be provided. Previously approved arrangements may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

72. Section 78.37–3 is revised to read as follows:

**§ 78.37–3 Logbooks and records.**

(a) The master or person in charge of a vessel that is required by 46 U.S.C. 11301 to have an official logbook shall maintain the logbook on form CG–706. When the voyage is completed, the master or person in charge shall file the logbook with the Officer in Charge, Marine Inspection.

(b) The master or person in charge of a vessel that is not required by 46 U.S.C. 11301 to have an official logbook, shall maintain, on board, an unofficial logbook or record in any form desired for the purposes of making entries therein as required by law or regulations in this subchapter. Such logs or records are not filed with the Officer in Charge, Marine Inspection, but must be kept available for review by a marine inspector for a period of 1 year after the date to which the records refer. Separate records of tests and inspections of fire fighting equipment must be maintained with the vessel's logs for the period of validity of the vessel's certificate of inspection.

**§ 78.47–67 [Removed]**

73. Section 78.47–67 is removed.

74. Subpart 78.53 consisting of 78.53–1 and 78.53–5 is revised to read as follows:

**Subpart 78.53—Placard of Lifesaving Signals**

**Subpart 78.53—Placard of Lifesaving Signals**

Sec.  
78.53–1 Application.  
78.53–5 Availability.

**§ 78.53–1 Application.**

The provisions of this subpart apply to all vessels on an international voyage, and all other vessels of 150 gross tons or over in ocean, coastwise or Great Lakes service.

**§ 78.53-5 Availability.**

On all vessels to which this subpart applies there must be readily available to the deck officer of the watch a placard containing instructions for the use of the lifesaving signals set forth in regulation 16, chapter V, of the International Convention for Safety of Life at Sea, 1974. These signals must be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

75. Section 78.57-1 is revised to read as follows:

**§ 78.57-1 All personnel must comply.**

All licensed masters, officers, and certificated seamen on United States vessels shall strictly comply with routing instructions issued by competent naval authority.

**Subpart 78.5 (§ 78.75-1)—[Removed]**

76. Subpart 78.75 consisting of § 78.75-1 is removed.

**Subpart 78.80 (§ 78.80-1—78.80-35)—[Removed]**

77. Subpart 78.80 consisting of § 78.80-1 through 78.80-35 is removed.

**§ 78.83-1 [Amended]**

78. In § 78.83-1, paragraph (a) is amended by removing the phrase, "(other than power-operated industrial trucks when subject to subpart 78.80 of this part)".

**Subpart 78.85 (§ 78.85-1)—[Removed]**

79. Subpart 78.85 consisting of § 78.85-1 is removed.

**PART 92—CONSTRUCTION AND ARRANGEMENT**

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

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

**§ 92.01-13 [Removed]**

81. Section 92.01-13 is removed.

82. Subpart 92.20 is revised to read as follows:

**Subpart 92.20—Accommodations for Officers and Crew**

Sec.

- 92.20-1 Application.
- 92.20-5 Intent.
- 92.20-10 Location of crew spaces.
- 92.20-15 Construction.
- 92.20-20 Sleeping accommodations.
- 92.20-25 Washrooms and toilet rooms.
- 92.20-30 Messrooms.
- 92.20-35 Hospital space.
- 92.20-40 Other spaces.
- 92.20-45 Lighting.
- 92.20-50 Heating and cooling.

92.20-55 Insect screens.

92.20-90 Vessels contracted for prior to November 19, 1952.

**Subpart 92.20—Accommodations for Officers and Crew****§ 92.20-1 Application.**

(a) The provisions of this subpart apply to all vessels of 100 gross tons and over contracted for on or after November 19, 1952. Vessels of 100 gross tons and over contracted for prior to November 19, 1952 must meet the requirements of § 92.20-90.

(b) Vessels of less than 100 gross tons must meet the applicable requirements of this subpart insofar as is reasonable and practicable.

**§ 92.20-5 Intent.**

It is the intent of this subpart that the accommodations provided for officers and crew on all vessels must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and insulated from undue noise, heat, and odors.

**§ 92.20-10 Location of crew spaces.**

(a) Crew quarters must not be located farther forward in the vessel than a vertical plane located at 5 percent of the vessel's length abaft the forward side of the stem at the designed summer load water line. However, for vessels in other than ocean or coastwise service, this distance need not exceed 8.5 meters (28 feet). For the purposes of this paragraph, the vessel's length must be as defined in § 43.15-1 of subchapter E (Load Lines) of this chapter. Unless approved by the Commandant, no section of the deck head of the crew spaces may be below the deepest load line.

(b) There must be no direct communication, except through solid, close fitted doors, or hatches between crew spaces and chain lockers, or machinery spaces.

**§ 92.20-15 Construction.**

All crew spaces are to be constructed and arranged in a manner suitable to the purpose for which they are intended and so that they can be kept in a clean, workable, and sanitary condition.

**§ 92.20-20 Sleeping accommodations.**

(a) Where practicable, each licensed officer must be provided with a separate stateroom.

(b) Sleeping accommodations for the crew must be divided into rooms, no one of which shall berth more than 4 persons.

(c) Each room must be of such size that there is at least 2.78 square meters (30 square feet) of deck area and a volume of at least 5.8 cubic meters (210

cubic feet) for each person accommodated. The clear head room must be not less than 190 centimeters (75 inches). In measuring sleeping accommodations, any furnishings contained therein for the use of the occupants are not to be deducted from the total volume or from the deck area.

(d) Each person shall have a separate berth and not more than one berth may be placed above another. The berth must be composed of materials not likely to corrode. The overall size of a berth must not be less than 68 centimeters (27 inches) wide by 190 centimeters (75 inches) long, except by special permission of the Commandant. Where 2 tiers of berths are fitted, the bottom of the lower berth must not be less than 30 centimeters (12 inches) above the deck. The berths must not be obstructed by pipes, ventilating ducts, or other installations.

(e) A locker must be provided for each person accommodated in a room.

**§ 92.20-25 Washrooms and toilet rooms.**

(a) There must be provided at least 1 toilet, 1 washbasin, and 1 shower or bathtub for each 8 members or portion thereof in the crew who do not occupy rooms to which private or semi-private facilities are attached.

(b) The toilet rooms and washrooms must be located convenient to the sleeping quarters of the crew to which they are allotted but must not open directly into such quarters except when they are provided as private or semi-private facilities.

(c) All washbasins, showers, and bathtubs shall be equipped with adequate plumbing, including hot and cold running water. All toilets must be installed with adequate plumbing for flushing.

(d) At least 1 washbasin must be fitted in each toilet room, except where private or semi-private facilities are provided and washbasins are installed in the sleeping rooms.

(e) Where more than 1 toilet is located in a space or compartment, each toilet must be separated by partitions.

**§ 92.20-30 Messrooms.**

(a) Messrooms must be located as near to the galley as is practicable except where the messroom is equipped with a steam table.

(b) Each messroom must seat the number of persons expected to eat in the messroom at one time.

**§ 92.20-35 Hospital space.**

(a) Each vessel which in the ordinary course of its trade makes voyages of more than 3 days duration between ports and which carries a crew of 12 or

more, must be provided with a hospital space. This space must be situated with due regard to the comfort of the sick so that they may receive proper attention in all weathers.

(b) The hospital must be suitably separated from other spaces and must be used for the care of the sick and for no other purpose.

(c) The hospital must be fitted with berths in the ratio of 1 berth to every 12 members of the crew or portion thereof who are not berthed in single occupancy rooms, but the number of berths need not exceed 6.

(d) The hospital must have a toilet, washbasin, and bathtub or shower conveniently situated. Other necessary suitable equipment such as a clothes locker, a table, and a seat shall be provided.

(e) On vessels in which the crew is berthed in single occupancy rooms, a hospital space will not be required, provided that one room is designated and fitted for use as a treatment or isolation room. This room must meet the following standards:

(1) The room must be available for immediate medical use; and

(2) A washbasin with hot and cold running water must be installed either in or immediately adjacent to the space and other required sanitary facilities must be conveniently located.

#### § 92.20-40 Other spaces.

Each vessel must have—

(a) Sufficient facilities where the crew may wash and dry their own clothes, including at least 1 sink supplied with hot and cold fresh water;

(b) Recreation spaces; and

(c) A space or spaces of adequate size on an open deck to which the crew has access when off duty.

#### § 92.20-45 Lighting.

Each berth must have a light.

#### § 92.20-50 Heating and cooling.

(a) All manned spaces must be adequately heated and cooled in a manner suitable to the purpose of the space.

(b) The heating and cooling system for accommodations must be capable of maintaining a temperature of 21° C (70° F) under normal operating conditions without curtailing ventilation.

(c) Radiators and other heating apparatus must be so placed and shielded, where necessary, to avoid risk of fire, danger, or discomfort to the occupants. Pipes leading to radiators or heating apparatus must be insulated where those pipes create a hazard to persons occupying the space.

#### § 92.20-55 Insect screens.

Provisions must be made to protect the crew quarters against the admission of insects.

#### § 92.20-90 Vessels contracted for prior to November 19, 1952.

(a) Vessels of less than 100 gross tons, contracted for prior to November 19, 1952, must meet the general intent of § 92.20-5 and in addition must meet the following requirements:

(1) Existing structure, arrangements, materials, and facilities, previously accepted or approved will be considered satisfactory so long as they are maintained in a suitable condition to the satisfaction of the Officer in Charge, Marine Inspection.

(2) Minor repairs and alterations may be made to the same standard as the original construction.

(b) Vessels of 100 gross tons and over, contracted for prior to March 4, 1915, must meet the following requirements:

(1) Existing structure, arrangements, materials, and facilities, previously approved will be considered satisfactory so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(2) Minor repairs and alterations may be made to the same standard as the original construction, provided that in no case will a greater departure from the standards of §§ 92.20-5 through 92.20-55 be permitted than presently exists.

(c) Vessels of 100 gross tons and over, contracted for on or after March 4, 1915, but prior to January 1, 1941, must meet the following requirements:

(1) Existing structure, arrangements, materials, and facilities, previously approved will be considered satisfactory so long as they are maintained in a suitable condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs and alterations may be made to the same standard as the original construction.

(2) Each vessel, which in the ordinary course of its trade makes a voyage of more than 3 days duration between ports and which carries a crew of 12 or more persons, must be provided with a suitable hospital space for the exclusive use of the sick or injured.

(3) The crew spaces must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and insulated from undue noise, heat, and odors.

(d) Vessels of 100 gross tons and over, contracted for on or after January 1, 1941, but prior to November 19, 1952, must meet the following requirements:

(1) Existing structure, arrangements, materials, and facilities, previously approved will be considered satisfactory

so long as they are maintained in a suitable condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs and alterations may be made to the same standard as the original construction.

(2) Washbasins, showers, and bathtubs if substituted for showers, must be equipped with adequate plumbing including hot and cold running water.

(3) Each crewmember must have a separate berth, and berths may not be placed more than 2 high.

(4) Each vessel, which in the ordinary course of its trade makes a voyage of more than 3 days duration between ports and which carries a crew of 12 or more persons, must be provided with a suitable hospital space for the exclusive use of the sick or injured. Berths shall be provided in the ratio of 1 berth for each 12 members of the crew or fraction thereof, but the number of berths need not exceed 6.

(5) The crew spaces must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and insulated from undue noise, heat, and odors.

### PART 95—FIRE PROTECTION EQUIPMENT

83. The authority citation for part 95 continues to read as follows:

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

84. In § 95.05-10, paragraph (g) is removed and paragraphs (a), introductory text, (b) and (c) are revised to read as follows:

#### § 95.05-10 Fixed fire extinguishing systems.

(a) Approved fire extinguishing systems may be used or required in locations delineated in this section on the following vessels. Previously approved installations may be retained as long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

\* \* \* \* \*

(b) A fixed carbon dioxide or other approved system must be installed in all cargo compartments and tanks for combustible cargo, except for vessels engaged exclusively in the carriage of coal or grain in bulk. For cargo compartments and tanks fitted with a fixed carbon dioxide or other approved system a deck foam system is not required, instead of the carbon dioxide system or other approved system, the following systems may be used or required in special cases:

(1) A fixed foam system may be used in cargo tanks.

(2) A water sprinkling system may be required, and the details of such system will be subject to special approval, in cases where a cargo is normally accessible and is considered to be a part of the working or living quarters.

(3) Spaces "specially suitable for vehicles" must be fitted with an approved carbon dioxide system. Alternately, the Commandant may permit the installation of an approved water sprinkler system or other suitable system.

(c) On vessels other than motorboats, a fixed carbon dioxide or other approved system must be installed in all lamp and paint lockers, oil rooms, and similar spaces.

\* \* \* \* \*

**§ 95.05-20 [Removed]**

85. Section 95.05-20 is removed.

86. In § 95.10-10, paragraphs (i-1), (i-2), and (l) are removed, paragraphs (j) and (k) are redesignated as paragraphs (l) and (m), respectively, paragraph (i) is revised and new paragraphs (j), (k), and (n) are added to read as follows:

**§ 95.10-10 Fire hydrants and hose.**

\* \* \* \* \*

(i) Each firehose on each hydrant must have a combination solid stream and water spray firehose nozzle approved under subpart 162.027 of this chapter. Firehose nozzles previously approved under subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(j) In each propulsion machinery space containing an oil fired boiler, internal combustion machinery, or oil fuel unit on a vessel on an international voyage or of 1000 gross tons or more, each firehose having a combination nozzle previously approved under subpart 162.027 of this chapter must have a low-velocity water spray applicator that is also previously approved under subpart 162.027 of this chapter. The length of the applicator must be less than 1.8 meters (6 feet).

(k) Fixed brackets, hooks, or other means for stowing an applicator must be next to each fire hydrant that has an applicator under paragraph (j) of this section.

\* \* \* \* \*

(n) Firehose and couplings must be as follows:

(1) Couplings shall be of brass, bronze, or other equivalent metal. National Standard firehose coupling threads must be used for the 38

millimeters (1 1/2 inch) and 64 millimeters (2 1/2 inch) sizes.

(2) Where 19 millimeters (3/4 inch) hose is permitted by table 95.10-5(a), the hose and couplings shall be of good commercial grade.

(3) Each section of firehose must be lined commercial firehose that conforms to Underwriters' Laboratories, Inc. Standard 19 or Federal Specification ZZ-H-451E. Hose that bears the label of Underwriters' Laboratories, Inc. as lined firehose is accepted as conforming to this requirement.

87. In § 95.10-90, the designation "(a)" is removed from paragraph (a), paragraphs (a)(5) and (a)(6) are removed, paragraphs (a)(1) through (a)(4) are redesignated as paragraphs (a) through (d), respectively, and new paragraph (e) is added to read as follows:

**§ 95.10-90 Installations contracted for prior to May 26, 1965.**

\* \* \* \* \*

(e) Firehose nozzles and low-velocity spray applicators must meet the requirements of 95.10-10(i), 95.10-10(j), and 95.10-10(k).

88. Subpart 95.13 consisting of § 95.13-1 is revised to read as follows:

**Subpart 95.13—Steam Smothering Systems**

**§ 95.13-1 Application.**

Steam smothering systems are not permitted on vessels contracted for on or after January 1, 1962. Previously approved installations may be retained as long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

**PART 96—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT**

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

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

90. Section 96.27-1 is revised to read as follows:

**§ 96.27-1 When required.**

All mechanically propelled vessels of 500 gross tons and over in ocean or coastwise service and all mechanically propelled vessels of 500 gross tons and over in Great Lakes service and certificated for service on the River St. Lawrence eastward of the lower exit of the St. Lambert Lock at Montreal, Canada, must be fitted with an efficient electronic sounding apparatus.

**PART 97—OPERATIONS**

91. The authority citation for part 97 is revised to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 2103, 3306, 6101; 49 U.S.C. 5103, 5106; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

**Subpart 97.03 (§ 97.03-1)—[Removed]**

92. Subpart 97.03 consisting of § 97.03-1 is removed.

**Subpart 97.17 (§ 97.17-1)—[Removed]**

93. Subpart 97.17 consisting of § 97.17-1 is removed.

**Subpart 97.23 (§ 97.23-1)—[Removed]**

94. Subpart 97.23 consisting of § 97.23-1 is removed.

95. Subpart 97.33 consisting of § 97.33-1 is revised to read as follows:

**Subpart 97.33—Communication Between Deckhouses**

**§ 97.33-1 When required.**

On all vessels navigating in other than protected waters, where the distance between deckhouses is more than 46 meters (150 feet) a fixed means facilitating communication between both ends of the vessel, such as a raised fore and aft bridge or side tunnels, must be provided. Previously approved arrangements may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

96. Section 97.35-3 is revised to read as follows:

**§ 97.35-3 Logbooks and records.**

(a) The master or person in charge of a vessel that is required by 46 U.S.C. 11301 to have an official logbook shall maintain the logbook on form CG-706. When the voyage is completed, the master or person in charge shall file the logbook with the Officer in Charge, Marine Inspection.

(b) The master or person in charge of a vessel that is not required by 46 U.S.C. 11301 to have an official logbook, shall maintain, on board, an unofficial logbook or record in any form desired for the purposes of making entries therein as required by law or regulations in this subchapter. Such logs or records are not filed with the Officer in Charge, Marine Inspection, but must be kept available for review by a marine inspector for a period of 1 year after the date to which the records refer. Separate records of tests and inspections of fire fighting equipment must be maintained with the vessel's logs for the period of

validity of the vessel's certificate of inspection.

**§ 97.35-10 [Removed]**

97. Section 97.35-10 is removed.

**§ 97.37-45 [Removed]**

98. Section 97.37-45 is removed.

99. Subpart 97.43 consisting of §§ 97.43-1 and 97.43-5 is revised to read as follows:

**Subpart 97.43—Placard of Lifesaving Signals**

Sec.

97.43-1 Application.

97.43-5 Availability.

**Subpart 97.43—Placard of Lifesaving Signals**

**§ 97.43-1 Application.**

The provisions of this subpart apply to all vessels on an international voyage, and all other vessels of 150 gross tons or over in ocean, coastwise or Great Lakes service.

**§ 97.43-5 Availability.**

On all vessels to which the subpart applies there must be readily available to the deck officer of the watch a placard containing instructions for the use of the lifesaving signals set forth in regulation 16, chapter V, of the International Convention for Safety of Life at Sea, 1974. These signals must be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

100. Section 97.47-1 is revised to read as follows:

**§ 97.47-1 All persons must comply.**

All licensed masters, officers, and certificated seamen on U.S. vessels must strictly comply with routing instructions issued by competent naval authority.

**Subpart 97.60 (§ 97.60-1)—[Removed]**

101. Subpart 97.60 consisting of § 97.60-1 is removed.

**Subpart 97.70 (§ 97.70-1—97.70-35)—[Removed]**

102. Subpart 97.70 consisting of §§ 97.70-1 through 97.70-35 is removed.

**Subpart 97.75 (§ 97.75-1)—[Removed]**

103. Subpart 97.75 consisting of § 97.75-1 is removed.

**§ 97.80-1 [Amended]**

104. In § 97.80-1, paragraph (a) is amended by removing the phrase, "(other than power-operated industrial trucks when subject to subpart 97.70 of this part)".

**PART 108—DESIGN AND EQUIPMENT**

105. The authority citation for part 108 is revised to read as follows:

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

**§ 108.403 [Amended]**

106. In § 108.403, paragraph (b) is amended by removing the words "water spray,".

107. In § 108.425, paragraph (c) and the introductory text of paragraph (d) are revised as follows:

**§ 108.425 Firehoses and associated equipment.**

\* \* \* \* \*

(c) Each nozzle for a firehose in a fire main system must be a combination solid stream and water spray firehose nozzle that is approved under subpart 162.027. Combination solid stream and water spray nozzles previously approved under subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(d) A combination solid stream and water spray firehose nozzle previously approved under subpart 162.027 of this chapter, must have a low-velocity water spray applicator also previously approved under subpart 162.027 of this chapter when installed in—

\* \* \* \* \*

108. The heading of subpart F is revised to read as follows:

**Subpart F—Cranes**

**§ 108.611 [Removed]**

109. Section 108.611 is removed.

**§ 108.613 [Removed]**

110. Section 108.613 is removed.

**0108.615 [Removed]**

111. Section 108.615 is removed.

112. Section 108.659 is revised to read as follows:

**§ 108.659 Lifesaving signal instructions.**

On all vessels to which this subpart applies, there must be readily available to the offshore installation manager, master, or person in charge a placard containing instructions for the use of the lifesaving signals set forth in regulation 16, chapter V, of the International Convention for Safety of Life at Sea, 1974. These signals must be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

**PART 109—OPERATIONS**

113. The authority citation for part 109 is revised to read as follows:

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

114. The heading of Subpart F is revised to read as follows:

**Subpart F—Cranes**

**§ 109.529 [Removed]**

115. Section 109.529 is removed.

**§ 109.531 [Removed]**

116. Section 109.531 is removed.

**§ 109.533 [Removed]**

117. Section 109.533 is removed.

**§ 109.535 [Removed]**

118. Section 109.535 is removed.

**§ 109.537 [Removed]**

119. Section 109.537 is removed.

**§ 109.539 [Removed]**

120. Section 109.539 is removed.

**§ 109.558 [Removed]**

121. Section 109.558 is removed.

**§ 109.583 [Removed]**

122. Section 109.583 is removed.

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

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

Authority: 46 U.S.C. 3703; 49 CFR 1.46. Section 153.40 issued under 49 U.S.C. 5103. Sections 153.470 through 153.491, 153.1100 through 153.1132, and 153.1600 through 153.1608 also issued under 33 U.S.C. 1903(b).

124. In § 153.9, footnote 1 is removed and the introductory text of paragraph (a) is revised to read as follows:

**§ 153.9 Foreign flag vessel endorsement application.**

(a) *Application for a vessel whose flag administration is signatory to MARPOL 73/78 and issues IMO Certificates.* A person who desires a Certificate of Compliance endorsed to carry a cargo in table 1 of this part, as described in § 153.900 of this part, must request the endorsement from the cognizant Officer in Charge, Marine Inspection and have aboard the vessel copies of IMO Certificates issued by the vessel's administration and—

\* \* \* \* \*

**§ 153.16 [Amended]**

125. In § 153.16, the introductory text is amended by replacing "Certificate of Compliance endorsed with the name of a cargo" with "Certificate of Compliance endorsed to carry a cargo".

**§ 153.808 [Amended]**

126. Section 153.808 is amended by replacing "Certificate of Compliance with the name of a cargo," with "Certificate of Compliance endorsed to carry a cargo".

127. Section 153.809 is revised to read as follows:

**§ 153.809 Procedures for having the Coast Guard examine a vessel for a Certificate of Compliance.**

The owner of a foreign flag vessel wishing to have the Coast Guard conduct a Certificate of Compliance examination, as required by § 153.808, must proceed as follows:

(a) Notify the Officer in Charge, Marine Inspection of the port where the vessel is to be inspected at least 7 days before the vessel arrives and arrange the exact time and other details of the examination. This notification is in addition to any other pre-arrival notice to the Coast Guard required by other regulations, but may be concurrent with the endorsement application in § 153.9, and must include—

(1) The name of the vessel's first U.S. port of call;

(2) The date that the vessel is scheduled to arrive;

(3) The name and telephone number of the owner's local agent; and

(4) The names of all cargoes listed in table 1 of this part that are on board the vessel.

(b) Before the examination required by § 153.808 is begun, make certain that the following plans are on board the vessel and available to the Marine Inspector. These plans include—

(1) A general arrangement (including the location of fire fighting, safety, and lifesaving gear);

(2) A capacity plan;

(3) A schematic diagram of cargo piping on deck and in tanks (including the location of all valves and pumps); and

(4) A schematic diagram of cargo tank vent piping (including the location of relief valves and flame screens).

128. In § 153.902, paragraphs (b) and (c) are revised to read as follows:

**§ 253.902 Expiration and invalidation of the Certificate of Compliance.**

\* \* \* \* \*

(b) The endorsement of a Certificate of Compliance under this part is invalid if the vessel does not have a valid IMO Certificate of Fitness.

(c) The endorsement on a Certificate of Compliance invalidated under paragraph (b) of this section, becomes valid again once the ship has the IMO Certificate of Fitness revalidated or reissued.

**PART 160—LIFESAVING EQUIPMENT**

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

Authority: 46 U.S.C. 2103, 3306, 3703, and 4302; E.O. 12234, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**Subpart 160.018 §§ 160.018-1—160.018-9—[Removed]**

130. Subpart 160.018 consisting of §§ 160.018-1 through 160.018-9 is removed.

**Subpart 160.034 §§ 160.034-1—160.034-5—[Removed]**

131. Subpart 160.034 consisting of §§ 160.034-1 through 160.034-5 is removed.

**PART 162—ENGINEERING EQUIPMENT**

132. The authority citation for part 162 continues to read as follows:

Authority: 33 U.S.C. 1321(j), 1903; 46 U.S.C. 3306, 3703, 4104, 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 11735, 39 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; 49 CFR 1.46.

133. Subpart 162.027 consisting of §§ 162.027-1 through 162.027-3 is revised to read as follows:

**Subpart 172.027—Combination Solid Stream and Water Spray Firehose Nozzles**

Sec.

162.027-1 Incorporation by reference.

162.027-2 Design, construction, testing and marking requirements.

162.027-3 Approval procedures.

**Subpart 162.027—Combination Solid Stream and Water Spray Firehose Nozzles****§ 162.027-1 Incorporation by reference.**

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish a notice of change in the Federal Register and the material must be available to the public. All approved material is available for inspection at the Office of the Federal Register, 800 North Capitol Street NW., Suite 700, Washington, DC and at the U.S. Coast Guard, Design and Engineering Standards Division (G-MMS), 2100 Second Street SW, Washington, DC and is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the sections affected are as follows:

American Society for Testing and Materials (ASTM)  
1916 Race Street, Philadelphia, PA 19103  
ASTM F 1546-94, Standard Specification for Firehose Nozzles—162.027-2; 162.027-3

**§ 162.027-2 Design, construction, testing and marking requirements.**

(a) Each combination solid stream and water spray firehose nozzle required to be approved under the provisions of this subpart must be designed, constructed, tested, and marked in accordance with the requirements of ASTM F 1546-94.

(b) All inspections and tests required by ASTM F 1546-94 must be performed by an independent laboratory accepted by the Coast Guard under subpart 159.010 of this chapter. A list of independent Laboratories accepted by the Coast Guard as meeting subpart 159.010 of this chapter may be obtained by contacting the Commandant (G-MMS).

(c) The independent laboratory shall prepare a report on the results of the testing and shall furnish the manufacturer with a copy of the test report upon completion of the testing required by ASTM F 1546-94.

**§ 162.027-3 Approval procedures.**

(a) Firehose nozzles designed, constructed, tested, and marked in accordance with ASTM F 1546-94 are considered to be approved under the provisions of this chapter.

(b) Firehose nozzles designed, constructed, tested and marked in accordance with the provisions of this subpart in effect prior to June 24, 1996, are considered to be approved under the provisions of this chapter.

**PART 164—MATERIALS**

134. The authority citation for part 164 is revised to read as follows:

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

**Subpart 164.016 § 164.016-1—164.016-5—[Removed]**

135. Subpart 164.016 consisting of §§ 164.016-1 through 164.016-5 is removed.

**PART 167—PUBLIC NAUTICAL SCHOOL SHIPS**

136. The authority citation for part 167 continues to read as follows:

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

**§ 167.40–20 [Amended]**

137. In § 167.40–20, the words “in addition to the ordinary deep-sea hand lead” are removed.

**§ 167.40–35 [Removed]**

138. Section 167.40–35 is removed.

139. In § 167.45–40, paragraphs (c–1) and (c–2) are removed and paragraphs (a), (b) and (c) are revised to read as follows:

**§ 167.45–40 Fire fighting equipment on nautical school ships using oil as fuel.**

(a) In each boiler room and in each of the machinery spaces of a nautical school ship propelled by steam, in which a part of the fuel-oil installation is situated, 2 or more approved fire extinguishers of the foam type of not less than 9.5 liters (2½ gallons) each or 2 or more approved fire extinguishers of the carbon dioxide type of not less than 33 kilograms (15 pounds) each must be placed where accessible and ready for immediate use. On a nautical school ship of 1,000 gross tons and under, only 1 of the fire extinguishers may be required.

In boiler and machinery spaces, at least 2 fire hydrants must have a firehose of a length that allows each part of the boiler and machinery spaces to be reached by water from a combination solid stream and water spray firehose nozzle.

(c) Each firehose under paragraph (b) of this section must have a combination solid stream and water spray firehose nozzle that meets subpart 162.027 of this chapter. Combination nozzles and low-velocity water spray applicators previously approved under subpart 162.027 of this chapter may remain so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

\* \* \* \* \*

**§ 167.45–55 [Removed]**

140. Section 167.45–55 is removed.

**§ 167.65–3 [Removed]**

141. Section 167.65–3 is removed.

**§ 167.65–10 [Removed]**

142. Section 167.65–10 is removed.

143. Section 167.65–15 is revised to read as follows:

**§ 167.65–15 Routing instructions; strict compliance with.**

All licensed masters, officers, and certificated seamen on nautical school ships must strictly comply with routing instructions issued by competent naval authority.

**§ 167.65–30 [Removed]**

144. Section 167.65–30 is removed.

145. Section 167.65–50 is revised to read as follows:

**§ 167.65–50 Posting placards of lifesaving signals.**

On all vessels to which this subpart applies there must be readily available to the deck officer of the watch a placard containing instructions for the use of the life saving signals set forth in regulation 16, chapter V, of the International Convention for Safety of Life at Sea, 1974. These signals must be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

**PART 168—CIVILIAN NAUTICAL SCHOOL VESSELS**

146. The authority citation for part 168 is revised to read as follows:

Authority: 46 U.S.C. 3305, 3306; 49 CFR 1.46.

147. Subpart 168.15 is revised to read as follows:

**Subpart 168.15—Accommodations**

Sec.

- 168.15–1 Intent.
- 168.15–5 Location of crew spaces.
- 168.15–10 Construction.
- 168.15–15 Size.
- 168.15–20 Equipment.
- 168.15–25 Washrooms.
- 168.15–30 Toilet rooms.
- 168.15–35 Hospital space.
- 168.15–40 Lighting.
- 168.15–45 Heating and cooling.
- 168.15–50 Ventilation.
- 168.15–55 Insect screens.
- 168.15–60 Inspection.

**Subpart 168.15—Accommodations****§ 168.15–1 Intent.**

The accommodations provided for members of the crew, passengers, cadets, students, instructors or any other persons at any time quartered on board a vessel to which this part applies must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged and insulated from undue noise, heat and odors.

**§ 168.15–5 Location of crew spaces.**

(a) Quarters must be located so that sufficient fresh air and light are obtainable compatible with accepted practice or good arrangement and construction.

(b) Unless approved by the Commandant, quarters, must not be located forward of the collision bulkhead, nor may such section or sections of any deck head occupied by quarters be below the deepest load line.

**§ 168.15–10 Construction.**

(a) The accommodations provided must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and insulated from undue noise, heat, and odors.

(b) All accommodations must be constructed and arranged so that they can be kept in a clean, workable, and sanitary condition.

**§ 168.15–15 Size.**

(a) Sleeping accommodations must be divided into rooms, no one of which may berth more than subpart persons. The purpose for which each space is to be used and the number of persons it may accommodate, must be marked outside the space.

(b) Each room must be of such size that there is at least 1.8 square meters (20 square feet) of deck area and a volume of at least 4.2 cubic meters (150 cubic feet) for each person accommodated. In measuring sleeping quarters, any furnishings contained therein are not to be deducted from the total volume or from the deck area.

**§ 168.15–20 Equipment.**

(a) Each person shall have a separate berth and not more than 1 berth may be placed above another. The berths must be of metal framework. The overall size of a berth must not be less than 68 centimeters (27 inches) wide by 190 centimeters (75 inches) long. Where 2 tiers of berths are fitted, the bottom of the lower berth must not be less than 30 centimeters (12 inches) above the deck, and the bottom of the upper must not be less than 76 centimeters (30 inches) from both the bottom of the lower and from the deck overhead. The berths must not be obstructed by pipes, ventilating ducts, or other installations.

(b) A metal locker must be provided for each person accommodated in a room.

**§ 168.15–25 Washrooms.**

(a) There must be provided 1 shower for each 10 persons or fraction thereof and 1 wash basin for each subpart persons or fraction thereof for all persons who do not occupy rooms to which private or semi-private facilities are attached.

(b) All wash basins and showers must be equipped with adequate plumbing, including hot and cold running fresh water.

**§ 168.15–30 Toilet rooms.**

(a) There must be provided 1 toilet for each 10 persons or fraction thereof to be accommodated who do not occupy rooms to which private facilities are attached.

(b) The toilet rooms must be located convenient to the sleeping quarters of the persons to which they are allotted but must not open directly into such quarters except when they are provided as private or semiprivate facilities.

(c) Where more than 1 toilet is located in a space or compartment, each toilet must be separated by partitions.

**§ 168.15-35 Hospital space.**

(a) Each vessel must be provided with a hospital space. This space must be situated with due regard for the comfort of the sick so that they may receive proper attention in all weather.

(b) The hospital must be suitably separated from other spaces and must be used for the care of the sick and for no other purpose.

(c) The hospital must be fitted with berths in the ratio of 1 berth to every 12 persons, but the number of berths need not exceed 6.

(e) The hospital must have a toilet, wash basin, and bathtub or shower conveniently located. Other necessary suitable equipment of a sanitary type such as a clothes locker, a table and a seat must be provided.

**§ 168.15-40 Lighting.**

All quarters, including washrooms, toilet rooms, and hospital spaces, must be adequately lighted.

**§ 168.15-45 Heating and cooling.**

All quarters must be adequately heated and cooled in a manner suitable to the purpose of the space.

**§ 168.15-50 Ventilation.**

(a) All quarters must be adequately ventilated in a manner suitable to the purpose of the space and route of the vessel.

(b) When mechanical ventilation is provided for sleeping rooms, washrooms, toilet rooms, hospital spaces, and messrooms, these spaces must be supplied with fresh air equal to at least 10 times the volume of the room each hour.

**§ 168.15-55 Screening.**

Provision must be made to protect the quarters against the admission of insects.

**§ 168.15-60 Inspection.**

The Officer in Charge, Marine Inspection, shall inspect the quarters of every such vessel at least once in each month or at such time as the vessel enters an American port and shall satisfy himself that such vessel is in compliance with the regulations in this part.

**PART 169—SAILING SCHOOL VESSELS**

148. The authority citation for part 169 is revised to read as follows:

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

**§ 169.321 [Removed]**

149. Section 169.321 is removed.

**§ 169.742 [Removed]**

150. Section 169.742 is removed.

**PART 189—INSPECTION AND CERTIFICATION**

151. The authority citation for part 189 continues to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 2113, 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p.351; 49 CFR 1.46.

**§ 189.60-30 [Removed]**

152. Section 189.60-30 is removed.

**PART 190—CONSTRUCTION AND ARRANGEMENT**

153. The authority citation for part 190 continues to read as follows:

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

**§ 190.01-13 [Removed]**

154. Section 190.01-13 is removed.

155. Subpart 190.20 is revised to read as follows:

**Subpart 190.20—Accommodations for Officers, Crew, and Scientific Personnel**

Sec.

190.20-1 Application.

190.20-5 Intent.

190.20-10 Location of crew spaces.

190.20-15 Construction.

190.20-20 Sleeping accommodations.

190.20-25 Washrooms and toilet rooms.

190.20-30 Messrooms.

190.20-35 Hospital space.

190.20-40 Other spaces.

190.20-45 Lighting.

190.20-50 Heating and cooling.

190.20-55 Insect screens.

190.20-90 Vessels contracted for prior to March 1, 1968.

**Subpart 190.20—Accommodations for Officers, Crew, and Scientific Personnel**

**§ 190.20-1 Application.**

(a) Except as noted below, the provisions of this subpart apply to all vessels contracted for on or after March 1, 1968.

(b) Vessels contracted for prior to March 1, 1968, must meet the requirements of § 190.20-90.

**§ 190.20-5 Intent.**

(a) The accommodations provided for officers, crew, and scientific personnel on all vessels must be securely constructed, properly lighted, heated, drained, ventilated, equipped, located, arranged, and, where practicable, shall be insulated from undue noise, heat, and odors.

(b) Provided the intent of this subpart is met, consideration may be given by the Officer in Charge, Marine Inspection to relax the requirements relating to the size and separation of accommodations for scientific personnel.

**§ 190.20-10 Location of crew spaces.**

(a) Crew quarters must not be located farther forward in the vessel than a vertical plane located at 5 percent of the vessel's length abaft the forward side of the stem at the designated summer load water line. However, for vessels in other than ocean or coastwise service, this distance need not exceed 8.5 meters (28 feet). For purpose of this paragraph, the vessel's length shall be as defined in § 43.15-1 of subchapter E (Load Lines) of this chapter. Unless approved by the Commandant, no section of the deck head of the crew spaces may be below the deepest load line.

(b) There must be no direct communication, except through solid, close fitted doors or hatches between crew spaces and chain lockers, or machinery spaces.

**§ 190.20-15 Construction.**

All crew spaces are to be constructed and arranged in a manner suitable to the purpose for which they are intended and so they can be kept in a clean, workable and sanitary condition.

**§ 190.20-20 Sleeping accommodations.**

(a) Where practicable, each licensed officer must be provided with a separate stateroom.

(b) Sleeping accommodations for the crew must be divided into rooms, no one of which must berth more than 4 persons.

(c) Each room must be of such size that there are at least 2.78 square meters (30 square feet) of deck area and a volume of at least 5.8 cubic meters (210 cubic feet) for each person accommodated. The clear head room must be not less than 190 centimeters (75 inches). In measuring sleeping accommodations any furnishings contained therein for the use of the occupants are not to be deducted from the total volume or from the deck area.

(d) Each person shall have a separate berth and not more than one berth may be placed above another. The berth must be composed of materials not likely to corrode. The overall size of a berth must not be less than 68 centimeters (27 inches) wide by 190 centimeters (75 inches) long, except by special permission of the Commandant. Where two tiers of berths are fitted, the bottom of the lower berth must not be less than 30 centimeters (12 inches) above the deck. The berths must not be obstructed by pipes, ventilating ducts, or other installations.

(e) A locker must be provided for each person accommodated in a room.

**§ 190.20–25 Washrooms and toilet rooms.**

(a) There must be provided at least 1 toilet, 1 washbasin, and 1 shower or bathtub for each 8 members or portion thereof in the crew to be accommodated who do not occupy rooms to which private or semi-private facilities are attached.

(b) The toilet rooms and washrooms must be located convenient to the sleeping quarters of the crew to which they are allotted but must not open directly into such quarters except when they are provided as private or semi-private facilities.

(c) All washbasins, showers, and bathtubs must be equipped with adequate plumbing, including hot and cold running water. All toilets must be installed with adequate plumbing for flushing. Where more than 1 toilet is located in a space or compartment, each toilet must be separated by partitions.

**§ 190.20–30 Messrooms.**

(a) Messrooms must be located as near to the galley as is practicable except where the messroom is equipped with a steam table.

(b) Each messroom must seat the number of persons expected to eat in the messroom at one time.

**§ 190.20–35 Hospital space.**

(a) Except as specifically modified by paragraph (f) of this section, each vessel which in the ordinary course of its trade makes voyages of more than 3 days duration between ports and which carries a crew of 12 or more, must be provided with a hospital space. This space must be situated with regard to the comfort of the sick so that they may receive proper attention in all weather.

(b) The hospital must be suitably separated from other spaces and must be used for the care of the sick and for no other purpose.

(c) The hospital must be fitted with berths in the ratio of 1 berth to every 12 members of the crew or portion thereof

who are not berthed in single occupancy rooms, but the number of berths need not exceed 6. Where all single occupancy rooms are provided, the requirement for a separate hospital may be withdrawn, provided that 1 stateroom is fitted with a bunk accessible from both sides.

(e) The hospital must have a toilet, washbasin, and bathtub or shower conveniently situated. Other necessary suitable equipment such as a clothes locker, a table and a seat must be provided.

(f) On vessels in which the crew is berthed in single occupancy rooms, a hospital space will not be required, provided that 1 room must be designated and fitted with use as a treatment or isolation room. This room must meet the following standards:

(1) The room must be available for immediate medical use; and

(2) A washbasin with hot and cold running water must be installed either in or immediately adjacent to the space and other required sanitary facilities must be conveniently located.

**§ 190.20–40 Other spaces.**

Each vessel shall have—

(a) Sufficient facilities where the crew may wash and dry their own clothes, including at least 1 sink supplied with hot and cold fresh water;

(b) Recreation spaces; and

(c) A space or spaces of adequate size on the open deck to which the crew has access when off duty.

**§ 190.20–45 Lighting.**

Each berth must have a light.

**§ 190.20–50 Heating and cooling.**

(a) All manned spaces must be adequately heated and cooled in a manner suitable to the purpose of the space.

(b) Radiators and other heating apparatus must be so placed and shielded, where necessary, to avoid risk of fire, danger or discomfort to the occupants. Pipes leading to radiators or heating apparatus must be insulated where those pipes create a hazard to persons occupying the space.

**§ 190.20–55 Insect screens.**

Provisions must be made to protect the crew quarters against the admission of insects.

**§ 190.20–90 Vessels contracted for prior to March 1, 1968.**

Existing structures, arrangements, materials, and facilities previously approved will be considered satisfactory so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

Minor repairs and alterations may be made to the same standards as the original construction, provided that in no case will a greater departure from the standards of §§ 190.20–5 through 190.20–55 be permitted than presently exists.

**PART 193—FIRE PROTECTION EQUIPMENT**

156. The authority citation for part 193 continues to read as follows:

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

**§ 193.05–20 [Removed]**

157. Section 193.05–20 is removed.

158. In § 193.10–10, paragraphs (j) and (k) are redesignated as paragraphs (l) and (m), respectively, paragraphs (i–1) and (i–2) are removed, paragraphs (d) and (i) are revised, and new paragraphs (j) and (k) are added to read as follows:

**§ 193.10–10 Fire hydrants and hose.**

\* \* \* \* \*

(d) Fire hydrants must be of sufficient number and so located that any part of the vessel, other than main machinery spaces, may be reached with at least 2 streams of water from separate outlets, at least one of which must be from a single length of hose. In main machinery spaces, all portions of such spaces must be capable of being reached by at least 2 streams of water, each of which must be from a single length of hose from separate outlets; however, this requirement need not apply to shaft alleys containing no assigned space for the stowage of combustibles. Fire hydrants must be numbered as required by § 196.37–15 of this subchapter.

\* \* \* \* \*

(i) Each fire hydrant must have at least 1 length of firehose. Each firehose must have a combination solid stream and water spray nozzle that is approved under subpart 162.027 of this subchapter, except 19 millimeters (3/4 inch) hose may have a garden hose nozzle that is bronze or metal with strength and corrosion resistance equivalent to bronze. Combination solid stream and water spray nozzles previously approved under subpart 162.027 of this chapter may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

(j) When the firehose nozzle in the below locations was previously approved under subpart 162.027 of this chapter, a low-velocity water spray applicator, also previously approved under subpart 162.027, of this chapter must be installed as follows:

(1) At least 1 length of firehose on each fire hydrant outside and in the immediate vicinity of each laboratory;

(2) Each firehose in each propulsion machinery space containing oil-fired boiler, internal combustion machinery, or oil fuel unit on a vessel of 1000 gross tons or more—the length of each applicator must be 1.2 meters (4 feet).

(k) Fixed brackets, hooks, or other means for stowing an applicator must be next to each fire hydrant that has an applicator under paragraph (j) of this section.

\* \* \* \* \*

159. Section 193.10–90 is revised to read as follows:

**§ 193.10–90 Installations contracted for prior to March 1, 1968.**

Installations contracted for prior to March 1, 1968, must meet the following requirements:

(a) Except as specifically modified by this paragraph, vessels must comply with the requirements of §§ 193.10–5 through 193.10–15 insofar as the number and general type of equipment is concerned.

(b) Existing equipment, except firehose nozzles and low-velocity water spray applicators, previously approved but not meeting the applicable requirements of §§ 193.10–5 through 193.10–15, may be continued in service so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection. Minor repairs, alterations, and replacements may be permitted to the same standards as the original installations. However, all new installations or major replacements must meet the applicable requirements in this subpart for new installations.

(c) Vessels must comply with the general requirements of § 193.10–5 (c) through (g), § 193.10–10 (d) through (m), and § 193.10–15 insofar as is reasonable and practicable.

(d) Each firehose nozzle must meet § 193.10–10(i), and each low-velocity water spray applicator must meet § 193.10–10(j).

**PART 196—OPERATIONS**

160. The authority citation for part 196 continues to read as follows:

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

**Subpart 196.03 (§ 196.03–1)—  
[Removed]**

161. Subpart 196.03 consisting of § 196.03–1 is removed.

**Subpart 196.17 (§ 196.17–1)—  
[Removed]**

162. Subpart 196.17 consisting of § 196.17–1 is removed.

**Subpart 196.18 (§ 196.18–1)—  
[Removed]**

163. Subpart 196.18 consisting of § 196.18–1 is removed.

**Subpart 196.23 (§ 196.23–1)—  
[Removed]**

164. Subpart 196.23 consisting of § 196.23–1 is removed.

**§ 196.27–10 [Removed]**

165. Section 196.27–10 is removed.

166. Subpart 196.33 consisting of § 196.33–1 is revised to read as follows:

**Subpart 196.33—Communication  
Between Deckhouses**

**§ 196.33–1 When required.**

On all vessels navigating in other than protected waters, where the distance between deckhouses is more than 46 meters (150 feet) a fixed means of facilitating communication between both ends of the vessel, such as a raised fore and aft bridge or side tunnels, must be provided. Previously approved arrangements may be retained so long as they are maintained in good condition to the satisfaction of the Officer in Charge, Marine Inspection.

167. Section 196.35–3 is revised to read as follows:

**§ 196.35–3 Logbooks and records.**

(a) The master or person in charge of an oceanographic research vessel that is required by 46 U.S.C. 11301 to have an official logbook may maintain the logbook on form CG–706 or in the owner's format for an official logbook. Such logs must be kept available for a review for a period of 1 year after the date to which the records refer, or for the period of validity of the vessel's current certificate of inspection, whichever is longer. When the voyage is completed, the master or person in charge shall file the logbook with the Officer in Charge, Marine Inspection.

(b) The master or person in charge of a vessel that is not required by 46 U.S.C. 11301 to have an official logbook, shall maintain, on board, an unofficial logbook or record in any form desired for the purposes of making entries

therein as required by law or regulations in this subchapter. Such logs or records are not filed with the Officer in Charge, Marine Inspection, but must be kept available for review by a marine inspector for a period of 1 year after the date to which the records refer. Separate records of tests and inspections of fire fighting equipment must be maintained with the vessel's logs for the period of validity of the vessel's certificate of inspection.

**§ 196.35–10 [Removed]**

168. Section 196.35–10 is removed.

**§ 196.37–45 [Removed]**

169. Section 169.37–45 is removed.

170. Subpart 196.43 consisting of §§ 196.43–1 and 196.43–5 is revised to read as follows:

**Subpart 196.43—Placard of Lifesaving  
Signals**

Sec.  
196.43–1 Application.  
196.43–5 Availability.

**Subpart 196.43—Placard of Lifesaving  
Signals**

**§ 196.43–1 Application.**

The provisions of this subpart apply to all vessels on an international voyage, and all other vessels of 150 gross tons or over in ocean, coastwise, or Great Lakes service.

**§ 196.43–5 Availability.**

On all vessels to which this subpart applies there must be readily available to the deck officer of the watch a placard containing instructions for the use of the lifesaving signals set forth in regulation 16, chapter V, of the International Convention for Safety of Life at Sea, 1974. These signals must be used by vessels or persons in distress when communicating with lifesaving stations and maritime rescue units.

**Subpart 196.60 (§ 196.60–1)—  
[Removed]**

171. Subpart 196.60 consisting of § 196.60–1 is removed.

**Subpart 196.75 (§ 196.75–1)—  
[Removed]**

172. Subpart 196.75 consisting of § 196.75–1 is removed.

Dated: May 10, 1996.  
J.C. Card,  
*Rear Admiral, U.S. Coast Guard, Chief,  
Marine Safety and Environmental Protection.*  
[FR Doc. 96–12428 Filed 5–22–96; 8:45 am]