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Wednesday

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Parts 1, 2, 7, 10, 12, 15, 25, 26, 30, 32, 42, 44, 45, 46, 56, 67, 78, 97, 109, 116, 120, 133, 153, 160, 164, 170, 172, and 199

[USCG-1998-4442] - 1

RIN-2115-ZZ02

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

AGENCY: Coast Guard, DOT

ACTION: Final rule.

SUMMARY: This rule makes editorial and technical changes throughout Title 46 of the Code of Federal Regulations (CFR) to update the title before it is recodified on October 1. It corrects addresses, updates cross-references, makes conforming amendments, and makes other technical corrections. This rule will have no substantive effect on the regulated public.

EFFECTIVE DATE: This rule is effective on September 30, 1998.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at the Docket Management Facility, (USCG-1998-4442), U.S. Department of Transportation, room PL-401, 400 Seventh Street SW, Washington, DC 20590-0001.

FOR FURTHER INFORMATION CONTACT: For questions on this rule, contact Janet Walton, Standards Evaluation and Development Division (G-MSR-2), Coast Guard, telephone 202-267-0257. For questions on viewing, or submitting material to the docket, contact Dorothy Walker, Chief, Dockets, Department of Transportation, telephone 202-366-9329.

SUPPLEMENTARY INFORMATION:

Discussion of the Rule

Each year Title 46 of the Code of Federal Regulations is recodified on October 1. This rule makes editorial changes throughout the title, corrects

addresses, updates cross-references, and makes other technical and editorial corrections. Some editorial changes are discussed individually in the following paragraphs. This rule does not change any substantive requirements of existing regulations.

Parts 10 and 12

There are revisions throughout parts 10 and 12 to reflect the change in title of the Director, National Maritime Center, to the Commanding Officer, National Maritime Center.

Section 10.901

On June 26, 1997, the Coast Guard published an interim rule, entitled Implementation of the 1995 Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW) (CGD 95-062) (62 FR 34596). The rule added to section 10.901, paragraphs setting out general provisions for furnishing sufficient documentary evidence of practical demonstration of competence. In the paragraphs concerning the Engine Department, provisions for both Chief engineer officer and Second engineer officer are "of a seagoing vessel driven by main propulsion machinery of between 750 kW (1,000 hp) and 3,000 kW (4,000 hp) of propulsion or more." This rule removes the words "or more," in each instance, because they are unnecessary.

Part 67

Revisions in part 67 reflect the change in title of the Manager, National Vessel Documentation Center, to the Director, National Vessel Documentation Center.

Part 160

On May 9, 1997, the Coast Guard published a final rule, entitled Inflatable Liferrafts (CGD 85-205) (62 FR 25525). The rule contained a number of deferred effective dates to allow industry a reasonable time for compliance. The deferred dates also allowed industry to harmonize the effective dates in the rule with the effective dates of certain provisions of the 1996 Amendments to the 1974 Safety of Life at Sea (SOLAS) Convention. Because the deferred dates have passed, this rule removes them.

Section 160.049-4

On March 28, 1973, the Coast Guard published a final rule, entitled Lifesaving Equipment (CGD 72-163R) (38 FR 8117). The rule revised paragraph (c) of the section, including removal of Table 160.049-4(c)(1) but did not revise the reference to the table. This rule removes the reference to the

table and replaces it with text that buoyant cushions shall have width no less than 12 inches and length no less than 15 inches, respectively, as was previously stated in the table.

Section 160.064-4

On September 30, 1997, the Coast Guard published a final rule, entitled Harmonization With International Safety Standards (CGD 95-028) (62 FR 51188). In the rule, the Coast Guard changed the marking requirements for throwable PFDs to state that the device is "Approved for use on recreational boats only as a throwable device." The rule erroneously amended paragraph (a)(1) instead of paragraph (a)(2). This rule corrects paragraphs (a)(1) and (a)(2).

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). This rule has no economic impact and a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. As this rule involves internal agency practices and procedures, it will not impose any costs on the public.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3591 et seq.).

Federalism

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

Environment

The Coast Guard considered the environmental impact of this rule and concluded that under figure 2-1, paragraphs (34)(a) and (b) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. This exclusion is in accordance with paragraphs (34)(a) and (b), concerning regulations that are editorial or procedural and concerning internal agency functions or organization. A "Categorical Exclusion Determination"

is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects

46 CFR Part 1

Administrative practice and procedure, Organization and functions (Government agencies), Reporting and recordkeeping requirements.

46 CFR Part 2

Marine safety, Reporting and recordkeeping requirements, Vessels.

46 CFR Part 7

Law Enforcement, Vessels.

46 CFR Part 10

Reporting and recordkeeping requirements, Schools, Seamen.

46 CFR Part 12

Reporting and recordkeeping requirements, Seamen.

46 CFR Part 15

Reporting and recordkeeping requirements, Seamen, Vessels.

46 CFR Part 25

Fire prevention, Marine safety, Reporting and recordkeeping requirements.

46 CFR Part 26

Marine safety, Penalties, Reporting and recordkeeping requirements.

46 CFR Part 30

Cargo vessels, Foreign relations, Hazardous materials transportation, Penalties, Reporting and recordkeeping requirements, Seamen.

46 CFR Part 32

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

46 CFR Part 42

Penalties, Reporting and recordkeeping requirements, Vessels.

46 CFR Part 44

Reporting and recordkeeping requirements, Vessels.

46 CFR Part 45

Great Lakes, Reporting and recordkeeping requirements, Vessels.

46 CFR Part 46

Passenger vessels, Penalties, Reporting and recordkeeping requirements.

46 CFR Part 56

Reporting and recordkeeping requirements, Vessels.

46 CFR Part 67

Vessels.

46 CFR Part 78

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

46 CFR Part 97

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

46 CFR Part 109

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

46 CFR Part 116

Marine safety, Passenger vessels.

46 CFR Part 120

Electric power, Marine safety, Passenger vessels.

46 CFR Part 133

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 164

Fire prevention, Marine safety, Reporting and recordkeeping requirements.

46 CFR Part 170

Marine safety, Reporting and recordkeeping requirements, Vessels.

46 CFR Part 172

Cargo vessels, Hazardous materials transportation, Marine safety.

46 CFR Part 199

Cargo vessels, Incorporation by reference, Marine safety, Oil and gas exploration, Passenger vessels, Reporting and recordkeeping requirements, Vessels.

For the reasons set out in the preamble, the Coast Guard amends 46 CFR parts 1, 2, 7, 10, 12, 15.25, 26, 30, 32, 42, 44, 45, 46, 56, 67, 78, 97, 109, 116, 120, 133, 153, 160, 164, 170, 172, and 199 as follows:

PART I--ORGANIZATION, GENERAL COURSE AND METHODS GOVERNING MARINE SAFETY FUNCTIONS

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

Authority: 5 U.S.C. 552; 14 U.S.C. 633; 46 U.S.C. 7701; 49 CFR 1.45, 1.46; § 1.01-35 also issued under the authority of 44 U.S.C. 3507.

2. In § 1.01-10, in paragraphs (b)(1) and (b)(1)(iv), remove the word "Director" and add, in its place, the words "Commanding Officer"; redesignate paragraph (b)(1)(iv) as paragraph (b)(1)(ii)(D); and revise paragraph (b)(1)(ii) to read as follows:

§ 1.01-10 Organization.

(b) * * * (1) * * * (ii) The Director of Field Activities (C-MO), under the general direction and supervision of the Assistant Commandant for Marine Safety and Environmental Protection, acts as Program Manager for the Marine Safety and Marine Environmental Protection Programs; directs, coordinates, and integrates the Coast Guard's marine safety and environmental protection compliance programs, contingency planning, response operations, and investigations programs; establishes and coordinates field implementation policies and priorities for all marine safety commands and units; serves as the focal point for field support and technical guidance; and provides oversight of marine documentation and marine personnel administration matters.

3. In § 1.03-15, revise paragraph (h)(3) to read as follows:

§ 1.03-15 General:

(h) * * * (3) Commanding Officer, National Maritime Center, for appeals involving vessel documentation issues and tonnage issues.

§ 1.03-30 [Amended].

4. In § 1.03-30(a), remove the word "otewise" and add, in its place, the word "otherwise".

PART 2--VESSEL INSPECTIONS

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

Authority: 33 U.S.C. 1903; 43 U.S.C. 1333; 46 U.S.C. 3103, 3205, 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR 1980 Comp., p. 277; 49 CFR 1.46; subpart 2.45 also issued under the authority of Act Dec. 27, 1950, Ch. 1155, secs. 1, 2.64 Stat. 1120 (see 46 U.S.C. App. note prec. 1).

6. In § 2.01-20, remove the word "theis" and add, in its place, the word "this"; and revise the section heading to read as follows:

§ 2.01-20 Suspension or revocation of certificates of inspection.

§ 2.85-1 [Amended]

7. In § 2.85-1, remove the word "submurged" and add, in its place, the word "submerged".

PART 7--BOUNDARY LINES

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

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

§ 7.1 [Amended].

9. In § 7.1, remove the word "exempt" and add, in its place, the word "exempt".

PART 10--LICENSING OF MARITIME PERSONNEL

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

Authority: 31 U.S.C. 9701; 46 U.S.C. 2101; 2103, 2110; 46 U.S.C. Chapter 71; 46 U.S.C. 7502, 7505, 7701; 49 CFR 1.45, 1.46 sec. 10.107 also issued under the authority of 44 U.S.C. 3507.

§ 10.901 [Amended].

11. In § 10.901(c)(2)(v) and (vi), remove the words "or more" at the end of each paragraph.

12. In § 10.903, revise paragraph (c)(16) through (c)(18), add a new paragraph (c)(19), and revise Table 10.903-1 to read as follows:

§ 10.903 Licenses requiring examinations.

- (c) * * * (16) Assistant engineer, limited-oceans. (17) Chief engineer, limited-near coastal. (18) Chief engineer (OSV). (19) Engineer (OSV).

TABLE 10.9034

STCW CODE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
II/1	X	X	X	.....	.....	.....	X	.....	.....	.....	.....	.....	.....	.....	.....	.....
II/2, 1 & 2	x	X	.....	.....	.....	.....	.....	X	X	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
II/2, p. 3 & 4	X	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
II/3	X	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
III/1	X	X	.....	X	.....	.....	X
III/2	X	X	.....	.....	.....	.....	.....	X	.....
III/3	X	.....	X	.....	.....

* * * * *

§§ 10.302, 10.303, 10.304, 10.307, 10.309, 10.464, 10.470, 10.472, 10.474, 10.516, 10.544 and 10.703 [Amended]

13. In addition to the amendments set forth above, in 46 CFR part 10, remove the word "Director" and add, in its place, the words "Commanding Officer" in the following places:

(a) Section 10.302(a) introductory text;

(b) Section 10.303(e);

(c) Section 10.304(a) and (d);

(d) Section 10.307;

(e) Section 10.309(a)(11);

(f) Section 10.464(d)(2);

(g) Section 10.470(b)(1)(ii), (d)(1)(ii), and (h)(1)(ii);

(h) Section 10.472(a)(1)(ii);

(i) Section 10.474(a)(1)(ii);

(j) Section 10.516(a)(6);

(k) Section 10.544(a)(3); and

(l) Section 10.703(c).

PART 12—CERTIFICATION OF SEAMEN

14. The authority citation for part 12 continues to read as follows:

Authority: 31 U.S.C. 9701; 46 U.S.C. 2103, 2103, 2110, 7301, 7302, 7503, 7505, 7701; 49 CFR 1.46.

§ 12.01-3 [Amended]

15. In § 12.01-3(b), remove the word "IMD" and add, in its place, the word "IMO".

§ 12.05-5 [Amended]

18. In § 12.05-5(b), remove the number "10.02-5" and add, in its place the number "10.205".

§ 12.15-5 [Amended]

17. In § 12.15-5(b), remove the number "10.02-5" and add, in its place, the number "10.205".

§§ 12.02-3, 12.02-13, 12.02-14, 12.02-21, 12.02-24, 12.03-1, 12.05-7, 12.10-3, 12.15-7, 12.15-13, 12.15-15, 12.25-35 and 12.25-40 [Amended]

18. In addition to the amendments set forth above, in 46 CFR part 12, remove the word "Director" and add, in its place, the words "Commanding Officer" in the following places:

(a) Section 12.02-3(b)(3);

(b) Section 12.02-13(b);

(c) Section 12.02-14(c);

(d) Section 12.02-21(b);

(e) Section 12.02-24;

(f) Section 12.03-1(a)(11);

(g) Section 12.05-7(b) introductory text and (b)(2);

(h) Section 12.10-3(a)(2), (a)(5), and (a)(6);

(i) Section 12.15-7(b) introductory text;

(j) Section 12.15-13(a)(3);

(L) Section 12.15-15(a)(3);

(1) Section 12.25-35(a); and

(m) Section 12.2540.

PART 15—MANNING REQUIREMENTS

19. The authority citation for part 15 continues to read as follows:

Authority: 46 U.S.C. 2101, 2103, 3306, 3703, 8101, 8102, 8104, 8105, 8301, 8304, 8502, 8503, 8701, 8702, 8901, 8902, 8903, 8904, 8905(b), 9102; 49 cplL45 and 1.46.

§ 15.1010 [Amended]

20. In § 15.1010(c), remove the number "118°30'48"W" and add, in its place, the number "118°30'48"W".

915.1040 [Amended]

21. In § 15.1040(C), remove the number "70°51'15"W" and add, in its place, the number "70°51'15"W".

PART 25—REQUIREMENTS

22. The authority citation for part 25 continues to read as follows:

Authority: 33 U.S.C. 1903(b); 46 U.S.C. 3306, 4302; 49 CFR 1.46.

23. In § 25.26-5, revise paragraphs (b)(2) and (c) to read as follows:

§ 25.26-5 Commercial fishing industry vessels.

(b) * * *

(2) A float-free, automatically activated Category 1406 MHz EPIRB.

(c) The owner of a fishing vessel, fish processing vessel or a fish tender vessel 11 meters (36 feet) or more in length that does not have installed galley or berthing facilities, shall ensure that the vessel does not operate on the high seas or beyond three miles from the coastline

of the Great Lakes unless it has on board a float-free, automatically activated Category 1406 MHz EPIRB stowed in a manner so that it will float free if the vessel sinks.

24. In § 25.2620, revise paragraphs (a) and (b)(2) and remove (b)(3) to read as follows:

§ 25.26-20 Other manned uninspected commercial vessels.

(a) The owner of a manned uninspected commercial vessel 11 meters (36 feet) or more in length, other than a vessel under § 25.265 or § 25.26-10 or under paragraph (b) of this section, shall ensure that the vessel does not operate on the high seas or beyond three miles from the coastline of the Great Lakes, unless it has on board a float-free, automatically activated Category 1406 MHz EPIRB stowed in a manner so that it will float free if the vessel sinks.

(b) * * *

(2) A float-free, automatically activated Category 1406 MHz EPIRB.

§ 25.26-30 [Removed]

25. Remove § 25.26-30;

PART 26—OPERATIONS

26. 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.

§ 26.03-5 [Amended]

27. In § 26.03-5(a)(2), remove the words "mater's" and "na,e" and add, in their place, the words "master's" and "name".

PART 30—GENERAL PROVISIONS

28. The authority citation for part 30 continues to read as follows:

Authority: 46 U.S.C. 2103, 3306, 3703; 49 U.S.C. 5103, 5106; 49 CFR 1.45, 1.46; Section 30.01-2 also issued under the authority of 44 U.S.C. 3507; Section 30.01-S also issued under the authority of Sec. 4109, Pub. L. 101-380, 104 Stat. 515.

§ 30.10-43 [Amended]

29. In § 30.10-43, remove the number "43" and add, in its place, the number "33".

PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

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

Authority: 46 U.S.C. 2103, 3306, 3703; E.O. 12234, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46; Section 32.22T-5 and subpart 32.59 also issued under 46 U.S.C. 3703 note.

§ 32.57-10 [Amended]

31. In § 32.57-10(d)(4), remove the word "by" immediately preceding the words "of the self-closing type" and insert, in its place, the word "be".

PART 42—DOMESTIC AND FOREIGN VOYAGES BY SEA

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

Authority: 46 U.S.C. 5101-5116; 49 CFR 1.46; section 42.01-5 also issued under the authority of 44 U.S.C. 3507.

§ 42.03-10 [Amended]

33. In § 42.03-10(d)(1), remove the words "the International Load Line Act of 1973, as amended, the Coastwise Load Line Act of 1935, as amended" and add, in their place, the words "46 U.S.C. 5101-5116".

§ 42.03-30 [Amended]

34. In § 42.03-30(f)(1), remove the words "the Coastwise Load Line Act, as amended" and add, in their place, the words "46 U.S.C. 5101-5116".

§ 42.03-35 [Amended]

35. In § 42.03-35(b), remove the words "the load line acts" wherever they appear in the paragraph and add, in their place, the words "46 U.S.C. 5101-5116".

§ 42.05-60 [Amended]

36. In § 42.05-60, remove the words "section 3 of the load line acts" and add, in their place, the words "46 U.S.C. 5107".

§ 42.07-10 [Amended]

37. In § 42.07-10(a)(1), remove the words "the load line acts" and add, in their place, the words "46 U.S.C. 5101-5116".

§ 42.07-15 [Amended]

36. In § 42.07-15(a), remove the words "the load line acts" and add, in their place, the words "46 U.S.C. 5101-5116".

§ 42.07-35 [Amended]

39. In § 42.07-35(a), remove the words "sections 3 of the load line acts" and add, in their place, the words "46 U.S.C. 5107".

§ 42.0740 [Amended]

40. In § 42.07-40(a), remove the words "sections 3 of the load line acts" and add, in their place, the words "46 U.S.C. 5107".

§ 42.07-45 [Amended]

41. In § 42.07-45(h), remove the words "the Coastwise Load Line Act" and add, in their place, the words "46 U.S.C. 5101-5116".

§ 42.07-60 [Amended]

42. In § 42.07-60, in paragraph (c), remove the words "section 7 of the load line acts" and add, in their place, the words "46 U.S.C. 5113"; and in paragraph (f), remove the words "sections 5 of the load line acts" and add, in their place, the words "46 U.S.C. 5109".

§ 42.09-20 [Amended]

43. In § 42.09-20(a)(1), remove the words "section 8 of the International Load Line Act of 1973, as amended (46 U.S.C. 86f)" and add, in their place, the words "46 U.S.C. 5102".

PART 44—SPECIAL SERVICE LIMITED DOMESTIC VOYAGES

44. The authority citation for part 44 continues to read as follows:

Authority: 46 U.S.C. 5101-5116; 49 CFR 1.46.

§ 44.01-1 [Amended]

45. In § 44.01-1(a), remove the words "the Coastwise Load Line Act, 1935, as amended (46 U.S.C. 88-88i)" and add, in their place, the words "regulations in this part".

§ 44.320 [Amended]

46. In § 44.320(b), remove the words "45 Eisenhower Drive, Paramus, New Jersey 07652-0910" and add, in their place, the words "Two World Trade Center, 106th Floor, New York, NY 10048".

PART 45—GREAT LAKES LOAD LINES

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

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

§ 45.1 [Amended]

48. In § 45.1, remove the words "to meet the requirements of the Coastwise Load Line Act, 1935 (46 U.S.C. 88-88g) insofar as it applies to" and add, in their place, the words "for service on".

PART 46—SUBDIVISION LOAD LINES FOR PASSENGER VESSELS

49. The authority citation for part 46 continues to read as follows:

Authority: 46 U.S.C. 3306; 46 U.S.C. 5101-5116; E.O. 12234, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

§ 46.01-m [Amended]

50. In § 46.01-15(c), remove the words "the Coastwise Load Line Act, 1935, as amended" and add, in their place, the words "46 U.S.C. 5101-5116".

PART 56—PIPING SYSTEMS AND APPURTENANCES

51. 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.

§ 56.07-10 [Amended]

52. In § 56.07-10, in paragraph (c), remove the word "fro" and add, in its place, the word "for"; and in paragraph (e)(2), remove the word "footnotes" and add, in its place, the word "footnote".

Table 56.60-2(a) [Amended]

53. In Table 56.60-2(a), in footnotes (7) and (9), remove the word "amonia" and add, in its place, the word "ammonia".

PART 67—DOCUMENTATION OF VESSELS

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

Authority: 14 U.S.C. 664; 31 U.S.C. 9701; 42 U.S.C. 9118; 46 U.S.C. 2103, 2107, 2110; 46 U.S.C. app. 841a, 876; 49 CFR 1.45, 1.46.

§ 67.3 [Amended]

55. In § 67.3, in the NOTE, immediately following the definition for *Endorsement*, remove the word "constitute" and add, in its place, the word "constitute"; and remove the words "1301 Constitution Avenue, NW., Washington, DC 20229 (Attn: Carrier Rulings Branch)" and add, in their place, the words "1300 Pennsylvania Avenue, NW, Ronald Reagan Building, Washington DC 20229 (Entry Procedures and Carriers Branch)".

§ 67.173 [Amended]

56. In § 67.173, remove the words "any port of documentation" and add, in their place, the words "the National Vessel Documentation Center"; and in the NOTE, remove the words "last port of record of the vessel" and add, in their

place, the words "National Vessel Documentation Center".

§ 67.219 [Amended]

57. In § 67.219(a), remove the number "271-2400" and add, in its place, the number "271-2405".

§ 67.519 [Amended]

58. In § 67.519, remove the word "wavier" and add, in its place, the word "waiver".

§§ 67.63, 67.89, 67.101, 67.111, 67.113, 67.117, 67.119, 67.133, 67.151, 67.163, 67.173, 67.175 and 67.600 [Amended]

59. In addition to the amendments set forth above, in 46 CFR part 67, remove the word "Manager" and add, in its place, the word "Director" in the following places:

- (a) Section 67.63(b)(1);
- (b) Section 67.89(a);
- (c) Section 67.101(a);
- (d) Section 67.111(a) introductory text and (b);
- (e) Section 67.113(e);
- (f) Section 67.117(a) introductory text and (c);
- (g) Section 67.119(d);
- (h) Section 67.133(a) introductory text, (a)(1), (b), and the NOTE;
- (i) Section 67.151(a) and (b);
- (j) Section 67.163(b);
- (k) Section 67.173;
- (l) Section 67.175(b) introductory text; and
- (m) Section 67.500(d).

PART 78—OPERATIONS

60. The authority citation for part 78 continues 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.

§ 78.01-2 [Amended]

61. In § 78.01-2(b), under the entry for American Society for Testing and Materials (ASTM), remove the number "19248-2959" and add, in its place, the number "19428-2959".

PART 97—OPERATIONS

62. The authority citation for part 97 continues 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 FR54757; 3 CFR, 1991 Comp., p.351; 49 CFR 1.46.

§ 97.01-2 [Amended]

63. In § 97.01-2(b), under the entry for American Society for Testing and Materials (ASTM), remove the number "19248-2959" and add, in its place, the

number "19428-2959"; and remove the number and add, in its place, the number "1996-97.36-1".

§ 97.07-1 [Amended]

64. In § 97.07-1, remove the words "part 4" and add, in their place, the words "subpart 4.05".

PART 109—OPERATIONS

65. The authority citation for part 109 continues to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C.3306, 6101.10104; 49 CFR 1.46.

§ 109.105 [Amended]

66. In § 109.105(b), under the entry for American Society for Testing and Materials (ASTM), remove the number "19248-2959" and add, in its place, the number "19428-2959"; and remove the number and add, in its place, the number "1996-109.563".

PART 116—CONSTRUCTION AND ARRANGEMENT

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

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

§ 116.415 [Amended]

68. In § 116.415(c), in Table 116.415(c)—DECKS, in footnote 1, remove ".025 kPa" and add, in its place, "2.5 kg/m²".

§ 116.438 [Amended]

69. In § 116.438, in paragraph (n)(l), remove the number "(m)(3)" and add, in its place, the number "(n)(3)"; and in paragraph (n)(3), remove the letter "(h)" and add, in its place, the letter "(i)".

§ 116.500 [Amended]

70. In § 116.500(d), remove the number "(m)(2)" and add, in its place, the number "(n)(2)".

§ 116.520 [Amended]

71. In § 116.520(b)(1), remove the number "(m)(2)" and add, in its place, the number "(n)(2)".

PART 120—ELECTRICAL INSTALLATION

72. The authority citation for part 120 continues to read as follows:

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

73. In § 120.312, revise the section heading to read as follows:

§ 120.312 Power sources on vessels of more than 19.8 meters (65 feet) in length carrying more than 600 passengers or with overnight accommodations for more than 49 passengers

PART I-LIFESAVING EQUIPMENT

74. The authority citation for part 133 continues to read as follows:

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

75. In § 133.60, revise the heading for paragraph (a) to read as follows:

§ 133.60 Communications.

(a) *Emergency Position indicating radiobeacons (EPIRB).*

PART M-SHIPS CARRYING BULK LIQUID, LIQUEFIED GAS, OR COMPRESSED GAS HAZARDOUS MATERIALS

76. 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).

§ 153.2 [Amended]

77. In § 153.2, in paragraph (2) of the definition of Cargo Tanks, remove the number "§ 153.5" and add, in its place the words "Part 153, Table 1.—SUMMARY OF MINIMUM REQUIREMENTS".

PART 160—LIFESAVING EQUIPMENT

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

Authority: 46 U.S.C.2103, 3306, 3703, and 4302; E.O.12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

§ 160.035-3 [Amended]

79. In § 160.035-3(l)(4), remove the word "Polyuthane" and add, in its place, the word "Polyurethane".

80. In § 160.049-2, revise paragraph (b) to read as follows:

§ 160.049-2 Types and sizes.

(b) Sizes. Buoyant cushions shall have not less than 225 square inches of top surface area, shall contain not less than 630 cubic inches of buoyant material, shall not be less than 2 inches thick, and shall have width no less than 12 inches and length no less than 15 inches, respectively.

§ 160.0 W [Amended]

81. In § 160.0644, in paragraph (a)(l), remove the words "Approved for use on

recreational boats only as a throwable device" and add, in their place, the words "Approved for use on all recreational boats and on uninspected commercial vessels less than 40 feet in length not carrying passengers for hire by persons weighing (more than 90 lb., 50 to 90 lb., 30 to 50 lb., or less than 30 lb.); and in paragraph (a)(2), remove the words "Approved for use on all recreational boats less than 16 feet in length and all canoes and kayaks, and only as a throwable device on all other recreational boats" and add, in their place, the words "Approved for use on recreational boats only as a throwable device".

§ 160.151-21 [Amended]

82. In § 160.151-21(s), remove the words "After July 1, 1998,".

§ 160.15149 [Amended]

83. In § 160.151-29 introductory text, remove the words "on or before July 1, 1998."

§ 160.151-31 [Amended]

84. In § 160.151-31, in paragraph (g), introductory text, remove the words "On or before May 11, 1998," and capitalize the word "the" immediately following; and remove paragraph (h).

§ 160.151-57 [Amended]

85. In § 160.151-57(m)(3) introductory text, remove the words "On or before November 10, 1997," and capitalize the word "affix" immediately following.

§§ 160.151-15, 160.151-17 and 160.151-57 [Amended]

86. In addition to the amendments set forth above, in 46 CFR part 160, remove the words "On or before July 1, 1998," and capitalize the word immediately following each deleted phrase in the following places:

- (a) Section 160.151-15(j);
- (b) Section 160.151-17(a)(2) introductory text and (c); and
- (c) Section 160.151-57(m)(2).

PART 164—MATERIALS .

87. The authority citation for part 164 continues 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.

§ 164.012-12 [Amended]

88. In § 164.012-12, remove the words "Underwriters' Laboratories, Inc. 207 East Ohio Street Chicago, IL 60611" and add, in their place, the words "Underwriters Laboratories, Inc., 333 Pfingston Road, Northbrook, IL 60062-2096."

PART 170—STABILITY REQUIREMENTS FOR ALL INSPECTED VESSELS

89. The authority citation for part 170 continues to read as follows:

Authority: 3 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.

§ 170.175 [Amended]

90. In § 170.175(c), remove the word "A7BS" and add, in its place, the word "ABS".

PART 172—SPECIAL RULES PERTAINING TO BULK CARGOES

91. The authority citation for part 172 continues to read as follows:

Authority: 4 U.S.C. 3306, 3703, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

§ 172-020 [Amended]

92. In § 172-020(a), remove the word "for" immediately preceding the words "the sources indicated**" and add, in its place, the word "from".

PART 199—LIFESAVING SYSTEMS FOR CERTAIN INSPECTED VESSELS

93. The authority citation for part 199 continues to read as follows:

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

§ 199.110 [Amended]

94. In § 199.110(f)(4), remove the word "man" and add, in its place, the word "may".

Dated: September 22, 1998.

Joseph J. Angelo,

Acting Assistant Commandant for Marine Safety and Environmental Protection.

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