

Shipping (Minimum Standards) Convention, 1976 (ILO 147) to which the United States is signatory. For example, ILO 147 requires a hospital space be provided for tankships over 500 gross tons carrying a crew of 15 persons or more and on a voyage of over three days duration. Current § 32.40–50 requires a hospital space for all tankships carrying a crew of 12 persons or more and on a voyage of over three days duration.

The changes proposed by this rulemaking would remove or revise those sections of the regulations that are unnecessarily detailed or exceed the requirements of ILO 147 in order to make the regulations more concise and consistent with the international standard for on-board crew accommodations.

Sections 35.10–5 and 35.20–30 of Title 46 CFR discuss the officer in command's responsibility to conduct drills and the prohibitions against unauthorized lights, flashing blinding lights and unauthorized whistling. Section 35.25–1 of Title 46 CFR discusses the chief engineer's responsibility to examine the boilers and report their condition. Additionally, Sections 78.57–1, 97.47–1 and 167.65–15 of Title 46 CFR require mariners to comply strictly with routing instructions issued by competent naval authorities. Each of these sections include phrases to indicate that the master or the 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 these sections. Phrases of this type are inconsistent with the President's memorandum of March 4, 1995 directing the 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 proposal, if adopted, would remove or revise 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 Title 46 CFR specify the words *Right Rudder* and *Left Rudder* be used when it is intended that the wheel, rudder blade and the head of the ship move to

the right or left, respectively. Specifying the direction of the wheel, rudder or ship intended by the commands *Right Rudder* and *Left Rudder* is a detail that is not necessary for professional seamen. Proper steering orders are ingrained in the commercial maritime industry culture and need not be repeated in the regulations. Therefore, these regulations are not necessary and are proposed for removal.

Sections 61.05–5 and 61.30–5 of Title 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. 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 safety issue. Not preparing machinery for inspections has no impact on safety because all required inspections must eventually be conducted to the satisfaction of the attending inspectors or surveyors. Therefore, regulations assigning the responsibility to prepare machinery for inspection to the chief engineer are proposed for removal.

Sections 54.01–1, 54.01–3 and 54.01–5 and Table 54.01–5 of Title 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 created 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 no longer necessary and are proposed for removal.

Part 153 of Title 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 are 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.

A new proposed procedure would 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 proposal, it would be only those chemical tankers whose flag state is not signatory to MARPOL 73/78 that would require a detailed plan review by the MSC to be issued an SOE. Following plan review, the MSC would issue an SOE to these vessels with the notation that the flag state is not signatory to MARPOL 73/78.

Therefore, this proposal, if adopted, would amend the review and issuance