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Merchant Seamen Memorial

In memory of 141 merchant seamen who lost their lives as the result of enemy action of World War II, this memorial to seamen who have served on Sun tank ships has been dedicated by the Sun Oil Co. at Marcus Hook, Pa.



Proceedings of the

MERCHANT MARINE COUNCIL

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Mention of source will be appreciated.

The

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For each meeting two District Commanders and three Marine Inspection Officers are designated as members by the Commandant.

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Memorial to Seamen

On the afternoon of October 8, 1949, at Marcus Hook, Pa., on the Delaware River, the Sun Oil Co. dedicated a beautiful memorial to the 141 seamen who lost their lives while serving on Sun Oil tankers during World War II.

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With most impressive ceremonies this powerful business organization, which geared all of its resources and ability to process gasoline and oil products and sailed them to all ports of the world in the great war effort, stopped to pass tribute to the men who gave their lives that we as a nation might live and be free. Statistics show that the percentage of men lost in this service was greater than that of any other American organization including the United States Navy.

The theme of the exercises was in accord with the Psalms; "They that go down to the sea in ships—that do business in great waters—these see the works of the Lord and His wonders in the deep."

These men are among the great hosts of heroes who dedicated their lives to the ideals of freedom and who have won the war for this great Nation.

This beautiful ceremony was the first of its kind held in the United States. It is to be hoped that others will follow this example. It should help enthuse all our people to a greater appreciation of what America stands for during this critical period.

At the same time the exercises were held at Marcus Hook, similar ceremonies were held on the ships of the Sun Oil Co. all over the world. The exercises were under the direction of J. N. Pew, Jr., chairman of the board of directors of the Sun Oil Co., a man of deep American convictions.

The United States Navy was represented by Rear Adm. Roscoe E. Schuirmann; the United States Coast Guard by Rear Adm. Halert C. Shepheard; the United States Maritime Commission by Col. Joseph K. Carsons, Jr.

The dedicatory address was made by J. Howard Pew, who was the head of the organization during the war.

The memorial was unveiled by Mrs. Joseph N. Pew and everyone was deeply touched when she spoke as follows: "Before the unveiling, I would like to say a few words to the mothers and next of kin of these brave men. This memorial was started by the spirit of our gallant boys who died that we might live. Today, if they were here and could speak to you, they would say: 'We paid a high price for liberty; enjoy it, serve it, and protect it.'"

November 1949

A TRIBUTE TO SUN SEAMEN

The Sun Seamen's Memorial is a token of esteem by a thankful organization in commemoration of those heroic men who helped wage the war of supply. It is a reminder to those, who were their more fortunate shipmates, of a task well done. These seamen performed a silent, secret job which history will record one day as a miracle of accomplishment.

The early months of the war brought to public attention a group of men to whom Americans had for many years given little thought—the merchant seamen. Just as the British Nation is greatly indebted to a small group of Royal Air Force flyers who fought off the German Luftwaffe, so we owe much to the few professional merchant seamen who kept the tankers sailing despite the daily torpedoings within sight of our own shores. This was at a time when the supply lines stretched dangerously thin.

Heroism has asserted itself particularly within the American merchant marine—not only during wars—but for more than three centuries of our historic Nation. Every generation has built up and retained traditions of the highest order. The recitation of them has made for some of our best national literature. Most of the books and stories are not of naval engagements; they are the tales of merchant seamen, of intrepid owners and captains who for generations have served in the business of carrying commerce over the world.

In World War II it took the enemy submarine to spotlight once more the heroism which is innate to the American seaman and demonstrate that he is a bold, ingenious, and unselfish fellow. He suffers the same hazards of war as soldiers and sailors and he constantly fights dramatic battles with seas. Sometimes the seamen win, sometimes they lose, but those who survive seldom give up the sea. Their code is best expressed by one torpedoed seaman who said: "You get hurt. You recover. Then just like anybody else, you go back to the job you know best."

After a war there is always an upsurge of sympathy and gratitude toward the men of the merchant marine whose work is so indispensable for the transportation of the vital petroleum products to keep our war industries in operation, our homes warm, our Navy at sea, the Air Force in the skies, and the Army in action. May this gratitude never cease for those who exposed themselves to such great hardships and dangers in the course of their great service. The Coast Guard joins you in a salute to these absent heroes.

Twenty-third Annual Convention of the Propeller Club of the United States and The American Merchant Marine Conference

The American Merchant Marine Conference, held each year under the sponsorship of the Propeller Club of the United States in conjunction with its annual convention, was held at the Waldorf-Astoria Hotel, New York, N. Y., October 19 to 21, 1949. The conference constitutes an open forum at which every branch of American maritime activity is represented.

The importance of this annual gathering is demonstrated by the keen interest taken in it by high Government officials, not only those who are directly concerned with shipping but by all others indirectly affected. The President of the United States each year expresses his deep interest in the conference and his appreciation of its importance by a letter of endorsement addressed to the Propeller Club. The first American Merchant Marine Conference, sponsored by the Propeller Club, was held in 1934 at Savannah, Ga. Each year, the American Merchant Marine Conference has grown both in attendance and in importance. The panel discussion idea was introduced in San Francisco in 1941. Since that date the number of panel discussions has increased and many of the panel sessions introduced this year deal with special interests in line of work in all phases of the maritime endeavor.

On October 19 the following panels were held:

 Legislation under the auspices of the National Federation of American Shipping.

(2) Maritime Safety under the auspices of the Marine Section, National Safety Council, Inc.

(3) Port development under the auspices of the American Association of Port Authorities.

(4) The Great Lakes under the auspices of the Propeller Club, port of Detroit.

(5 Theft and pilferage under the auspices of the Security Bureau, Inc.

(6) Land transportation and ocean terminals in time of war under the auspices of the National Defense Transportation Association.

On October 20:

 Welfare of seamen under the auspices of the Council of Seamen's Agencies.

(2) Training and education under the auspices of the Propeller Club of the United States. (3) United States Coast Guard under the auspices of the United States Coast Guard.

(4) Users' experiences with Diesel engines, and the future outlook for their applications under the auspices of Diesel Engine Manufacturers Association.

(5) Proper export packing develops foreign trade under the auspices of The Export Managers Club.

(6) Inland waterways under the auspices of the Propeller Club of the United States.

(7) International trade under the auspices of Office of International Trade, United States Department of Commerce.

(8) Forwarders and custom brokers under the auspices of the Joint Committee of Foreign Freight Forwarders Association.

(9) Labor under the auspices of the American Merchant Marine Institute, Inc.

(10) National defense under the auspices of the Department of Defense.

On October 21:

(1) Marine engineering under the auspices of the Society of Marine Port Engineers, New York, N. Y., Inc.

(2) Stevedoring and cargo handling under the auspices of the National Association of Stevedores.

(3) Public relations under the auspices of the Propeller Club of the United States.

(4) Master mariners' responsibilities under the auspices of the Master Mariners Guild.

The Coast Guard panel this year carefully picked subjects that would be of great interest to the merchant marine and all organizations closely associated and that are of particular interest at this time. Mr. Robert S. Erskine of the Kirlin, Campbell, Hickox & Keating law firm addressed the Panel on "Radar Navigation in Fog and Rules of the Road." Dr. W. G. McKenna, chief chemist of the Bureau of Explosives, Association of American Railroads, spoke on "The Responsibilities of Shippers of Dangerous Cargo." Mr. James H. Molloy, chief examiner, United States Coast Guard, gave a discussion on "Civilian Hearing Examiners, Their Duties and Functions with Respect to Vessel Operations." These papers presented at the Coast Guard Panel are considered to be outstanding in

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their individual fields and are reprinted for the benefit of the readers of the Proceedings.

RADAR NAVIGATION IN FOG AND THE RULES OF THE ROAD 1

Radar was hailed as a sure means to end all marine disasters in darkness, fog, and thick weather. Practical experience has seemed to indicate that the first promise was overoptimistic. But radar still appears to hold the possibility of making good that first promise, subject only to the human equation involved in its use. Consequently, during the past 2 years, as each of numerous radar disasters has occurred, shipowners, marine underwriters, admiralty attorneys like myself, and governmental agencies such as the Coast Guard have asked the question "Why?" and have increasingly pondered the problem and its solution.

I do not profess to have any expert knowledge of the subject or to know the right solution. The present comments merely reflect impressions of the various phases of the problem obtained in my professional investigations of a considerable number of disasters in which at least one of the vessels was equipped with radar. To bring this paper within reasonable limits, I will confine my comments to that part of the subject relating to marine collisions.

In its present stage of development, a vessel's radar cannot automatically avert disaster. It is an "eye" to pierce darkness, fog, and thick weather, and to furnish to a navigator on the bridge a "sight" of objects which would otherwise be hidden from him. The navigator must then act upon the information so received, and if he errs in the action taken he nullifies the benefit of the information which radar has given him. In considering this question of the human equation involved in the use of radar, it is my impression that there are two primary causes for the errors which have heretofore spoiled the perfect accomplishment of radar's promise.

A navigator, standing on the bridge of his vessel in clear weather, and watching the horizon from beam to beam across the bow, is observing a scene which covers an arc of 180° and includes any vessels or other objects within a radius of 5 to 10 miles. From past experience he is accustomed to evaluating the details of that picture spread over so large a canvas, and has learned to interpret accurately what he sees with his own eyes. But the radar-scope, or "screen," condenses that picture upon a dial only a few inches in diameter, and many navigators have not yet learned to translate from that condensation a mental perception of the same picture as they would have seen it by the human eye in clear weather. That cause of error is an operational difficulty which can presumably be overcome by proper training and experience.

The second and more serious cause of error, as I think, arises from the fact that radar, to a degree far beyond any earlier scientific development, has thrown upon navigators the necessity of forming their individual interpretations of the proper application of radar information to the Rules of the Road. And up to the present time no specific official instructions have been issued to aid them in solving the problem. The International Conference at London in 1948, after consideration of this subject, declined to make any reference to radar in its proposed revision of the Rules of the Road. In an effort to cover its retreat, the conference appended to its report its "opinion" that the possession of radar "in no way relieves the master of a ship from his obligation strictly to observe the requirements laid down in the International Regulations for preventing collisions at sea, and in particular, the obligations contained in articles 15 and 16 of those regulations." And the conference then added its recommendation that "Governments should call the attention of masters and officers to this opinion." Notices couched in the language of the conference's "opinion" have been issued by shipowners to their navigators and have been broadcast in the official publications of the Coast Guard. The trouble is that, in the absence of some further explicit statement, which can only come from some official source, the "opinion" which the international conference expressed furnishes no answer to the problem which confronts the individual navigator. It merely adds to his perplexity by calling his attention particularly to articles 15 and 16, and leaving him to make his own decision as to what is or is not compliance with the rules when his vessel is equipped with radar.

Article 16 of the existing rules has been written into the 1948 revision in exactly the same language, so far as the material portions are concerned. That is the all-important fog rule, containing the two requirements of moderate speed and stopping the engines upon hearing a fog signal forward of the beam. The first of those requirements is expressed in the following language:

"Every vessel shall, in fog, go at a moderate speed, having careful regard to the existing circumstances and conditions."

On that wording, a navigator can hardly be accused of faulty mental process if he thinks that his possession of radar and the information which it furnishes is an "existing circumstance and condition" of the case. and that, in the light of his radar information, a speed may be sufficiently moderate to comply with the rule even though greater than the speed to which a vessel without radar would be limited. To some extent he may feel strengthened in that conclusion by remembering that radar was originally publicized as an aid to greater speed in fog and thick weather.

The second requirement of article 16 is stated in the following language:

"A steam vessel hearing, apparently forward of her beam, the fog signal of a vessel the position of which is not ascertained shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over."

On that wording, a navigator who has a radar "sight" of a vessel forward of his beam before or at the time when that vessel's fog signal is first heard, and thereby knows her bearing and distance, may think that her position is ascertained, and that he need not stop his engines.

But there is another phase of the problem. The present Rules of the Road were framed and adopted by international agreement more than 50 years ago. Since then, the admiralty courts, particularly in the United States and England, have impressed upon the wording interpretations and definitions which have become so widely known and accepted that they constitute, in effect, international law. Therefore, when reference is made to the "requirements of the existing rules," is that reference only to the bare wording of the rules, or does it include the "requirements" which have been written in by the courts? The courts have impressed upon the wording of article 16 the requirement that moderate speed in fog shall be a speed which will enable a vessel to stop her headway and avoid collision within the distance at which an approaching vessel can be visually seen, assuming, of course, that the approaching vessel is exercising the same caution; and the courts, recognizing the impossibility of ascertaining the position of another vessel from the sound of her first fog signal, have impressed upon the second sentence of article 16 what is in effect a manda-

¹ Paper delivered by Mr. Robert S. Erskine, Kirlin, Campbell, Hickox & Keating, New York, N. Y.

tory requirement that the engines be stopped immediately upon hearing the fog signal of the approaching vessel. Obviously, such specific measurements of fog navigation were formulated long before radar was known. Are they still a part of the "requirements" of the existing rules?

And if the "requirements" of the existing rules include the definitions which the courts have impressed upon their wording, radar raises some additional questions.

As the second sentence of article 16 with respect to stopping the engines was written at a time when the sound of a fog signal furnished the only information, it was obviously intended that the engines should be stopped immediately upon knowing of the presence of another vessel forward of the beam. Should that intent now be construed to apply to the first knowledge of the presence of a vessel forward of the beam, which may be obtained by radar long before her fog signal can be heard?

Again, article 15 provides for sig-nals to be sounded in fog and thick weather. Article 28 provides for "rudder signals" to indicate alterations of course, but only "when vessels are in sight of one another." The courts, in interpreting those provisions, long before the discovery of radar, frowned upon an alteration of course in fog or thick weather when the presence of another vessel is known, before both vessels are in sight of each other. To what extent does a radar "sight" affect the present rules in those respects? There may arise situations in which radar information will disclose the advisability of altering course to avoid collision before the vessels are visually in sight of each other, and if an alteration is made a "rudder signal" announcing it might be of invaluable help to the approaching vessel, particularly if she is not equipped with radar.

Again, the signals prescribed by article 15 specifically relate to vessels "in fog, mist, etc.," but the courts have long impressed upon the rule the "requirement" that fog signals shall be sounded by vessels which, although not actually "in fog," are skirting or approaching a fogbank. Is that "requirement" of the existing rules affected by the possession of radar?

Those questions are further complicated if it be remembered that there are still many vessels on the high seas which are not equipped with radar. Perhaps, human nature being what it is, radar collisions will continue in any event, but it is my humble opinion that they would be lessened greatly, if not eliminated, by official answers to these questions in such a form that navigators would no longer be confronted with the present uncertainties.

I have used the phrase "official instructions" to indicate the suggestion that any instructions to navigators on this subject must be given with governmental authority. For obvious reasons, instructions cannot be given by private shipowners or their admiralty attorneys.

I have reason to believe that at least some of our English friends feel that this problem of proper navigation in fog when a vessel is equipped with radar can ultimately be solved only by decisions of the courts which must develop out of some lengthy period of "trial and error," during which further loss of life and property must be anticipated. I suggest that in this enlightened age there should be some speedier and more efficient means of dealing with the problem.

The Coast Guard is now vested with statutory authority over the merchant marine of the United States. It has authority to formulate and enforce regulations for the promotion of safety of life and property on the high seas, and, as a part of that authority, it has the responsibility of investigating marine disasters and disciplining the personnel of the merchant marine. Consequently, this radar problem would seem to be distinctly a problem for the Coast Guard. Indeed, until the present uncertainties have been cleared away, it would seem that the Coast Guard must find itself upon the horns of a dilemma. Inevitably a radar collision in fog will occur (if it has not already occurred) in which the Coast Guard, when investigating the propriety of the navigation involved and determining whether to discipline the vessel's licensed officers, will be forced to adopt one of two alternative views, either that the old requirements of the existing rules, as defined by the courts, apply alike to all vessels with or without radar, or that some departure therefrom is justified by proper use of radar equipment. If the first of those alternatives is believed to be the correct answer to the problem, it would seem that the Coast Guard could issue to the licensed personnel of our merchant marine instructions couched in such specific terms as to leave no uncertainty; and if the Coast Guard were to take official action along those lines it could hardly be accused of altering any of the requirements under the existing rules. That approach to the problem may have all the more justification if it is found to represent the view which the 1948 conference intended to express in the "opinion" which it appended to its report. On the other hand, if there be any prevailing opinion that the possession and proper use of radar equipment should justify some departure from the old interpretations of the requirements of the existing rules, then the individual navigators will still be left without any official instructions as to the possible extent or limit of any such modification. If that be the situation, and if there can be no unilateral clarifying action by the United States, this radar problem may be deemed sufficiently serious to call for another international conference at an early date, in the search for a proper solution.

THE RESPONSIBILITIES OF SHIPPERS OF DANGEROUS CARGO¹

The Interstate Commerce Commission by act of Congress is charged with the duty of promulgating regulations to govern the transportation of certain dangerous articles by land. The classes of such articles, which are subject to the authority of the Commission, are defined specifically in the act which requires the Commission to formulate the transportation regulations. Similarly, the Treasury Department, through the United States Coast Guard, is charged with the responsibility of writing regulations to govern the carriage of dangerous cargo in marine transportation. More recently, authority has been delegated to the Civil Aeronautics Board to formulate regulations covering the transportation of dangerous cargo by air. Since the characteristics of many dangerous articles are such that the means and conditions of transportation are equally as significant factors as the chemical and physical nature of the dangerous goods, it is of utmost importance that the formulation and administration of these various regulations be entrusted to experts in that particular field which is employed.

The Transportation of Explosives Act, now known as the Explosives and Combustibles Act, title 18, United States Code, sections 831 to 835, inclusive, delegates power to the Interstate Commerce Commission to prescribe regulations governing the safe transportation of dangerous articles which are binding on all common carriers by land engaged in interstate commerce and upon all shippers tendering dangerous articles to such carriers for transportation.

Section 835 provides that the regulations prescribed by the Interstate Commerce Commission shall also be

Paper delivered by Dr. W. G. Mc-Kenna, chief chemist, Bureau of Explosives, New York, N. Y.

binding upon all shippers tendering dangerous articles to common carriers engaged in interstate or foreign commerce by water. At first glance, this appears to be a rather unique provision of the statute; but when one considers that the bulk of water-borne traffic is dependent on rail or motor movement to the port, the need for uniformity in requirements to carry out the congressional intent-to foster and develop commerce- is apparent. Water-borne commerce hardly could be carried on economically should shippers be compelled to repackage, remark, and relabel shipments at ports because of a diversity in the requirements for land and water transportation. Complete specifications for shipping containers are a part, only, of the Interstate Commerce Commission Regulations.

Section 4472, title 46 of the United States Code vests in the United States Coast Guard the power to formulate regulations for the safe transportation of dangerous cargo by water and provides that the Coast Guard shall adopt the regulations prescribed by the Interstate Commerce Commission applicable to shippers tendering such cargo to common carriers by water. In addition, the statute requires the Coast Guard to prescribe regulations for vessels other than common carriers-that is, private or contract carriers. Bulk transportation of commodities such as gasoline and petroleum products have been held to be private or other than common carriers. Thus the safety regulation of such transportation is exclusively under the jurisdiction of the United States Coast Guard.

Under both the Explosives and Combustibles Act administered by the Interstate Commerce Commission and under title 46 of the United States Code administered by the Coast Guard, shippers are responsible for and, in general, are required to:

(1) Inform the carrier (rail, motor, or water) of the true and inherent nature of the dangerous commodity tendered for transportation, and

(2) Package, mark, label, and certify that such dangerous articles are in conformity with the regulations established for their transportation.

Both the regulations of the United States Coast Guard and the Interstate Commerce Commission require that bills of lading and shipping papers must employ the nomenclature for the articles shipped as shown in the commodity index in the regulations.

The laws which require that certain conditions be fulfilled when hazardous goods are transported by common carrier also provide severe penalties for failure to comply with the requirements of the law knowingly. These regulations and penalties are applicable to both shipper and carrier. The regulations place squarely upon the shipper the responsibility to declare the hazardous nature of his shipment and to package and mark the shipment in accordance with the published regulations which are applicable to the shipper. The regulations place on the carrier the responsibility to handle, stow, and carry the dangerous shipments in the manner that is provided in those parts of the published regulations which are applicable to the carrier. However, the occasions are very rare and infrequent indeed when it is necessary to recommend that a penalty be invoked on a shipper for willful violation of the regulations. With a few minor exceptions, this is also true of the carriers.

It is a source of satisfaction that laws such as the transportation regulations which are so continuously in use by such a large number of people and which provide such specific penalties can be administered successfully without resort frequently to invoking these penalties. This policy of administration is made possible by the splendid spirit of cooperation among the United States Coast Guard, the Interstate Commerce Commission, the shippers, and the carriers. The fact that the shippers accept their responsibilities willingly and discharge these responsibilities with whole-hearted cooperation with the carriers is of inestimable importance as a factor in realizing a record of safe transportation.

There is no question of the lessening of potential hazards; the volume of such goods and the degree of hazard involved is greater now than at any time in history. During the few months period of the Battle of the Bulge the volume of explosives transported across and from this continent was greater than the amount of explosives handled during the entire duration of World War I. The record is not perfect, the human element cannot be entirely eliminated and a perfect record is beyond the realm of imagination.

A brief review of the origin and history of the regulations will provide some explanation of the manner in which all concerned cooperate to successfully accomplish the objectives of the regulations. Prior to 1908 there were no specific regulations in this country to govern the transportation of dangerous goods. Serious accidents involving loss of life and tremendous monetary losses were not too infrequent. The situation obviously became so serious that the need for such regulations became imperative. In October 1906, it was decided to establish a central agency to undertake this work and so the Bureau for the Safe Transportation of Explosives and Other Dangerous Articles came into being. The Bureau explored this whole matter by field work, scientific laboratory tests, and conducted frequent conferences with the shippers and carriers with the result that a Federal law was passed finally and became effective May 30, 1908. The Bureau of Explosives still acts in an advisory capacity to the United States Coast Guard, the Interstate Commerce Commission and the Civil Aeronautics Board and is an important agency in keeping shippers and carriers informed of their responsibility.

The policy of conference and consultation with shippers and carriers has been pursued consistently when changes in the regulations are considered. When it became necessary to formulate a set of regulations to govern marine transportation of dangerous goods with relation to the conditions that are peculiar to that form of transportation, the Coast Guard used the same methods of investigation and consultation with the shippers, the shipping companies, and the loading companies. Still more recently the same method of procedure was adopted by the Civil Aeronautics Board in regard to the air regulations. In brief, here are regulations that are written in collaboration with the parties concerned and with due weight given to their expert opinion; all interests concerned were brought into consultation and discussion when the regulations were written originally and are consulted consistently when any changes are considered.

The regulations governing the movement of dangerous goods by common carriers are not static-the regulations are in a relatively continual state of flux. As new products are developed, new processes evolved and new conditions arise, the regulations may be altered to provide for these new conditions. However, changes are made only after thorough investigation and discussion has shown a need for the proposed changes and also that the changes can be effected with the assurance of a reasonable degree of safety.

The actual mechanics by which new proposals are investigated and discussed are quite well established and have the complete endorsement of the shippers and the carriers. The Bureau of Explosives acts as a central clearinghouse to make preliminary investigations and studies of the proposed changes and then brings all interested parties together for discussion and suggestion. This is accomplished through conferences with individual shippers, and carriers, and by conference and consultation with the various technical trade associations, such as the Manufacturing Chemists' Association, the Compressed Gas Association, the Institute of Makers of Explosives, the Chlorine Institute, the package and equipment makers, etc. After proposals for regulation changes have been investigated through these channels and agreement reached that the proposals are reasonable and necessary, the Bureau submits these proposals to the Interstate Commerce Commission for final consideration. The proposed changes are docketed publicly for a period by the Interstate Commerce Commission, during which period anyone has privilege of comment. When this period of public notice has elapsed and if serious objections are not filed, the Interstate Commerce Commission approves the changes and makes them a part of its regulations and given the force of law. It is extremely unusual that serious objections are filed and almost invariably minor differences can be adjusted without resort to a public hearing for which the regulations make provision. When such changes are incorporated into the regulations, it becomes the legal responsibility of the shippers and carriers to observe those regulations in detail. By this method of procedure provisions can be made for the transportation of any new commodity in a reasonable minimum of time and with the least possible delay to movement of the commodity in commerce. The usual practice is to submit these proposals to the Interstate Commerce Commission four times a year. In cases of extreme necessity, there is provision for a temporary authority to ship which can be arranged even more quickly. A somewhat sim-ilar procedure is followed by the United States Coast Guard and the Civil Aeronautics Board.

Regulations for movement of all types of dangerous goods obviously cannot be entirely the same for all types of transportation. The characteristics of many articles are such that the hazards are, in part, a function of the conditions prevailing in the type of transportation used to move the goods. The radioactive materials, which recently have been made subject to the regulations, are a typical and vivid example of dangerous goods which require different rules for transportation consistent with the medium employed. The hazard of these materials is a function of the time in transit and proximity of stowage to personnel and to other lading. Some dangerous goods may be packaged and handled in land transportation safely under certain conditions, but require somewhat different handling in marine transportation due to probable length of time in transit and due to the difference in conditions existing in marine and land transportation.

Recently, considerable trouble developed in marine transportation of a chemical that had an entirely clear record in rail transportation. It was a reasonable assumption that the conditions in marine movement were such as to cause trouble with the chemical that was not being realized in conditions existing in rail movement. The Bureau of Explosives conducted a thorough detailed investigation of the peculiarities of the chemical which resulted in recommending special conditions of handling and stowage for the chemical on shipboard.

The Bureau depends on long experience and knowledge of dangerous goods as a basis for recommendations of packaging and stowing of goods with regard to the probable conditions existing during transit. The characteristics of the commodities are studied from a purely scientific approach and this scientific data is correlated with all available practical knowledge and experience.

The Bureau and the administrative agencies maintain a corps of field men whose duties involve continual contact with shippers and transportation employees to educate new personnel and to keep others informed as to changes as they are promulgated into regulations. It is also the function of these men to establish contact with new shippers and with shippers of new commodities to insure that such shippers are informed of the requirements of the regulations and that they are cognizant of their responsibilities under these regulations. These men investigate all transportation incidents where there is a possible misunderstanding or violation of the regulations and they take such measures as are required to correct improper conditions and prevent recurrences.

The Bureau of Explosives maintains a container specification department which shippers and carriers may consult for expert opinion and advice as to the proper and efficient containers for use in movement of all dangerous goods. This department also maintains a record of the origin and history of some specification equipment. The Bureau maintains a chemical laboratory and a specialized laboratory staff to conduct investigation into the characteristics of dangerous goods and to assist and advise the shippers and carriers with information relative to this phase of dangerous goods. The laboratory investigates reported instances of fires, failures of containers, etc., which may be a result of the chemical characteristics of the commodities or containers involved. The Bureau also maintains a statistical department which keeps records of all instances of accidents, failure of equipment, etc.

Commerce and trade are the lifeblood of the economy of all nations. Their welfare, prosperity, and economic health spring from and are dependent upon the freedom of commerce. It is the prime purpose of administrative agencies such as the United States Coast Guard, the Interstate Commerce Commission, and the Civil Aeronautics Board to foster, protect, encourage, and develop the commerce of the Nation. The ultimate purpose and objective of regulatory measures as contemplated under the statutes is to safeguard the transportation of dangerous goods so that they may be transported freely and uninterruptedly and in accordance with the best known methods that can be devised to promote safety in transportation. Regulations are designed to protect carriers, employees, and the public in general from unwarranted risks that may be encountered in the absence of proper and reasonable requirements established to protect them. It is the obligation and responsibility of all shippers to observe the conditions as defined in these regulations so that the congressional intent may be realized. There are now pending several suits in the Federal courts involving the Texas City disaster which, it appears, involve primarily a question of proper notice to the vessel under the regulations and the statute. Those cases undoubtedly will shed much light on the particular responsibilities and obligations of shippers.

CIVILIAN HEARING EXAMINERS¹

Their Duties and Functions With Respect to Vessel Operations

A primary objective with respect to the operation of all vessels is the safety of both life and property. This incidentally includes not only passengers and cargo but the ship itself and the lives of the seafarers who man it, from the master down to the lowliest hand. The United States Coast Guard is charged, by statutory mandate, with the duty of seeing to it that such lives and property are protected and to that end, insofar as it is humanly possible, to require the maintenance of a high standard of

¹Paper delivered by James H. Malloy, chief examiner, office of the Commandant, U. S. Coast Guard.

efficiency and morale on shipboard for the common good of those who own or operate vessels, cargo shippers, and passengers, as well as those seafarers who go down to the sea in ships.

The job is rather a vast and complicated one depending upon broadly, first, the seaworthiness of the craft; second, the nature of and manner of stowage of cargo and subsequent attention thereto; and thirdly, probably the most important, the competency, attention to duty, the physical condition, and the good conduct of every man in the ship's company, including the master. It is with this latter category that the hearing examiners are almost wholly concerned.

The civilian hearing examiners, officially speaking, constitute a brand new office in the maritime world. They, as well as the examiners in practically all of the other administrative agencies of the Government. are products of the Administrative Procedure Act, section 11 thereof, enacted as amended in the latter part of 1946, after some 10 years of thorough deliberation and evolution. Section 12 of that act, however, provided that section 11 providing for this selection of hearing examiners should not become effective until 1 year after the approval of the act, which, together with failure to appropriate funds to facilitate this program, served to prevent the actual functioning of civilian hearing examiners in connection with the Coast Guard with respect to vessel personnel until November of 1948.

A bit of historical review may serve to indicate the present development and autonomous status of the hearing examiners in the maritime field as an agency arm of the United States Coast Guard engaged in the enforcement of the laws of the United States with respect to vessels generally. Many of you will recall that originally we had a separate Bureau of Navigation created in 1884, as well as a separate Steamboat Inspection Service, which were consolidated by an act in 1932 to form a new bureau known as the Bureau of Navigation and Steamboat Inspection, which was later changed by law in 1936 to the Bureau of Marine Inspection and Navigation. The chief of this Bureau was known as the "Director", he being the designee of the Secretary of Commerce, under which Department the entire Bureau functioned. Some, perhaps many of you, will recall, happily or unhappily as the case may be, that under such set-up the Boards of Local Inspectors, as well as the Board of Supervising Inspectors, were to all practical intents and purposes the lords of all they surveyed, especially during that period when their decisions were final,

particularly with respect to the issuing, suspension and revocation of tickets. Later, even though their dispositions were recommendatory and had to be confirmed by the Director, they were nonetheless formidable and awe-inspiring gentlemen whose dangling of the Damoclean sword cast more fear into the hearts of seafarers than did half a lifetime of constant battling with the "roarin' forties."

As you all know, the United States Coast Guard, founded in 1790, was originally the United States Revenue Marine, later United States Revenue Cutter Service, the oldest seagoing enforcement agency of the Government. In time it was consolidated with the United States Lifesaving Service, but it was not until Reorganization Plan No. 3 of 1946 (which continued on a permanent basis the similar temporary transfer of functions made during World War II by Executive Order No. 9083, February 28, 1942, 7 F. R. 1069) that its present-day multitude of functions and duties became an inherent part of the Coast Guard, as an arm of the Treasury Department in peacetime and serving as an arm of the Navy in time of conflict.

As I have earlier indicated, important among those duties, with which the civilian hearing examiners are chiefly concerned, is the maintenance of discipline, morale, a high degree of competency, attention to duty, and conduct in the over-all interests of everyone concerned for the perpetuation of a firmly established American merchant marine.

During and post World War II the Coast Guard set up a system to handle such problems to the best of its ability. In so doing it obviously had to use its officer personnel as investigators, examining officers (then comparable to the present investigating officer) and hearing officers, the trier of the facts (then comparable to a judicial officer, but now superseded by civilian hearing examiners), Then standing in the shoes of both prosecutor and judicial trier of the facts (although right to representation by counsel and other constitutional guaranties were preserved, including appeal to the Commandant) the Coast Guard naturally received the brunt, largely undeserved it is believed, of prejudicial criticism from seafarers. generally, who resented the imposition of discipline via suspension of their licenses or merchant mariner's documents pursuant to findings indicating their responsibility in connection with casualties, collision, or misconduct while serving pursuant to the authority of their issued license or merchant mariner's document.

Such was the condition of affairs when at long last the Administrative Procedure Act was delivered from its more than 10 years embryonic development and was born in late 1946. The Coast Guard continued its prior method for another year as permitted by the act but thereafter, until deficiency appropriations were made available with which to provide a nucleus of civilian hearing examiners. The Coast Guard in compliance with the act could do no more than continue to investigate and prefer charges to be later determined, awaiting the selection and appointment of civilian hearing examiners before whom the cases could be tried and determined.

The hearing examiners serving under the agency of the Coast Guard are all civil service employees selected and classified by competitive examination. All of them are able members of the bar and practically all of them have had adequate experience in the admiralty, are well acquainted with the maritime world in general and a number of them have had sea experience themselves, both in and out of the armed forces. In fact, I venture to say, unconfirmedly, that the strong attraction of things maritime and the examiners' respective affinities therefor is largely the reason for their willingness to have accepted these vitally important to the industry, quasi-judicial but not overly remunerative offices of great responsibility.

Space will not here permit of a thorough exposition on the details of the entire operation, but it will suffice to say that the enforcement of navigation laws by the Coast Guard and the hearing and determination of charges preferred by the Coast Guard to be heard before the Civilian Civil Service Hearing Examiners operates under a group of laws and regulations, the principal ones being, the Administrative Procedure Act; the Revised Statutes 4450 (46 U. S. C. 239) which makes negligence, incompetence, misconduct, and the like grounds for suspension and revocation, and which places a duty upon the Coast Guard to investigate such offenses as well as casualties; and the regulations promulgated by the Coast Guard pursuant to the provisions of both the Administrative Procedure Act and Revised Statutes 4450, said regulations being entitled "Marine Investigation Regulations and Suspension and Revocation Proceedings," title 46 CFR, parts 136 and 137, last published July 15, 1948, copy of which can be obtained from the Coast Guard under its publication material No. CG-200.

The main objective of the Administrative Procedure Act in a few words was to obtain a relatively uniform method of conducting administrative hearings in all agencies of the Government as closely akin as possible to the modes and processes of courts of law and equity, thereby to obtain a quasi-judicial determination of the controversy by the decision of an impartial and uninfluenced Civil Service Hearing Examiner, no doubt to obviate undesirable practices and criticisms alleged to have grown up in prior years.

Although, as provided in the Administrative Procedure Act, each agency must necessarily pay its examiners out of its appropriations, both the Administrative Procedure Act and the Coast Guard Regulations expressly provide that the hearing examiner is prohibited from consulting anyone concerning "any fact in issue," unless, after notice, all parties are permitted to participate; nor may he informally obtain advice or opinions from the parties or their counsel, or from any officer or employee of the Coast Guard as to the facts or the weight or the interpretation to be given to the evidence. He may, however (although not obligatory), informally obtain advice on matters of law or agency policy from officers or employees of the Coast Guard who were not "engaged in the performance of investigative or prosecuting functions" in that or a factually related case. Such last limitation, however, does not prevent the examiner from, at any time at his election, consulting with the Commandant on questions of law and policy.

The "decision" of the examiner is required to be rendered in written adjudication form, consisting of four parts, to wit: First, separate findings with respect to the ultimate facts of each specification of each charge: second, his conclusions as to whether the charges have been proved; third. a statement, generally known as an opinion, wherein should be set forth the examiner's reasons or basis for his findings and conclusions; and, fourth, the appropriate order. This decision becomes a permanent part of the record. The original decision in adjudication form is served upon the person charged and unless appealed to the Commandant within 30 days is final and binding. On appeal the Commandant may alter or modify any finding of the examiner and may affirm, reverse or modify the order made by the examiner; or he may remand the case for further hearing, but he will not consider evidence which is not a part of the record. Unless a license or a merchant mariner's document is revoked or suspended, or suspended on probation, or the person charged is admonished by the examiner (which admonition becomes a part of his permanent record) no appeal lies to the Commandant from the decision by the examiner. The regulations provide inter alia at 46 CFR 137.11-10 that the decision of the Commandant on appeal shall be final.

The matters heard by the examiners with respect to vessel personnel have to do only with the revocation, suspension, suspension on probation, or admonishment concerning the license or merchant mariner's document of the person charged and in no way are concerned with either the person or the property of the person charged. When the evidence indicates a likelihood that a crime has been committed, such matter is referred to the Attorney General or the United States attorney having jurisdiction for investigation and prosecution.

The examiners do not concern themselves with casualties nor complaints unless and until formal written charges and specifications have been preferred and filed with an examiner by the investigating unit of the Coast Guard. Thousands of investigations are conducted by the Coast Guard which never come before an examiner because the Coast Guard believes in its discretion that the offense, if any, is inconsequential, the casualty is one of inevitable accident. it is one of inscrutable fault, or that the evidence available is insufficient to either make out or support the indicated charge.

Hearings are conducted with dignity and decorum, quite similar to a hearing by the court in equity. The examiner has complete charge and control of the hearing. The record is stenographically reported. The examiner administers all oaths and issues subpenas. He advises the person charged in detail of his right to counsel, his right to have witnesses subpenaed, his right of examination and cross-examination, and of his right not to testify himself. The examiner may either disqualify himself or any party in good faith may request the withdrawal of the particular examiner on the grounds of personal bias or other disgualification. The examiner sees to it that the record shows proper service to have been made and that adequate notice has been given and in such case the examiner may proceed "in absentia" if the person charged fails to appear. The investigating officer of the Coast Guard presents the case against the person charged, each side having the privilege of making an opening statement. In the quest for substantial justice all witnesses, Government as well as private, are excluded from the hearing room until after they have testified and are then admonished by the examiner not to discuss the case with others until its conclusion. Otherwise, the hearings are open to the public.

The burden of proof is upon the investigating officer. Witnesses are available for direct, cross, redirect, recross, and rebuttal examination.

The charges and specifications are read aloud by the examiner to the person charged and his plea of "guilty" or "not guilty" is recorded. When a guilty plea is accepted evidence of either or both aggravation and mitigation are receivable. If mitigating statements inconsistent with a guilty plea are presented, the examiner changes the plea to "not guilty" and the investigating officer is required to prove the case.

Testimony by interrogatories and depositions may be taken by either party when the witness is beyond subpena limitation of 100 miles.

At the conclusion of the case, argument is opened by the investigating officer, followed by the person charged or his counsel and the investigating officer closes the argument.

Prior to rendering a decision, either party may submit, orally or in writing, proposed findings and conclusions with supporting reasons. When so availed of, the record shall show the ruling of the examiner on each such proposed finding and conclusion. After announcing the finding of at least one charge proved, but not before, the examiner ascertains whether the person charged has any previous commendatory or disciplinary record. This is followed by the rendition of the decision hereinbefore discussed.

On appeal taken, the examiner has discretion to issue a temporary license or merchant mariner's document pending the outcome on appeal, provided he is satisfied that there has been no wilfullness, or that the public health, interest, or safety will not thereby be imperiled.

During the period when no funds were available for the retention of these Civil Service Hearing Examiners, a backlog of approximately 1,000 undisposed of cases accumulated. Since the examiners began to function, first at New York City in November of 1948, a substantial portion of these have been disposed of in addition to currently occurring violations aggregating in all approximately 906 fully determined cases.

We have presently functioning 15 field examiners who cover all the principal seaports of the United States, the Great Lakes, the Territories of Hawaii, Puerto Rico, and Alaska. United States Coast Guard details in principal seaports of the world make necessary investigations there and forward their reports for contemplated action in the United States upon the return thereto of the personnel involved.

Those of you who are in anywise familiar with the admiralty know that it is the rare and unusual case that can be labeled inevitable accident. In 999 out of 1,000 cases ships do not of themselves collide, but rather it is the result of some human's carelessness, inattention to duty, or misconduct, or the result of the combination of such deficiencies on the part of more than one individual. To ascertain that reason or reasons without fear or favor and with complete impartiality is the basic function of the examiner; and in those cases where the evidence is insufficient upon which to predicate a finding, it is his duty, without hesitancy, to dismiss the charges.

In the merchant marine there has always been, and probably always will be, a clashing in varying degrees among the owners or operators of ships on the one hand, the personnel making up the ship's company on the other, and thirdly the policemen on the beat, who in this field is the United States Coast Guard now entrusted with the enforcement of the navigation laws of the United States. It is not unusual to be able to perceive quite often in these cases the above three opposed viewpoints. And so, in trying to resolve the matter fairly and impartially, it is presented to the civilian hearing examiner, a professionally trained and experienced arbitrator in matters of this nature.

Although it is probably too soon to come to any absolute conclusions, I am pleased to be able to report in this paper two important things: First, that the Coast Guard has entered into this new way of life wholeheartedly with no reservations; and that I have yet to notice or be subjected to the first of any attempts or suggestions on the part of the Coast Guard to in anywise dominate, threaten, lure, or even persuade me or any other examiner from our indicated impartial status, other than is justified by proper legal argument in any given case.

The second is that each and every one of your examiners is able, conscientious, and impartial, and is fully aware of the great responsibility resting upon his shoulders, and his alone, wherein he may be duty-bound in any case, in the best interests of society and vessel operation, to deprive a man, either for a limited time or permanently, of the right to make his living in the calling of the sea. Such a responsibility. I think you will agree, is a heavy one, yet the examiners as a whole have accepted that responsibility and made their decisions honestly as they saw them. The Coast Guard by no means has been pleased with all of the decisions of examiners, as neither have all seamen and officers. The difference between being a good and bad loser is as old as the human race, but I venture to say that there are few, if any, seamen who could honestly stand up and seriously contend that they had not obtained a thorough and fair and impartial hearing before the examiner.

The examiners, no more nor less than other humans, are not infallible. They have made some mistakes, largely in matters of evidence and law, most of which have been corrected and remedied on appeal. Nonetheless you have my assurance from

Numbered and Undocumented Vessels

The table below gives the cumulative total of undocumented vessels numbered under the provisions of the act of June 7, 1918, as amended (46 U. S. C. 288), in each Coast Guard district by customs ports for the quarter ending 30 September 1949. Generally speaking, undocumented vessels are those machinery-propelled vessels of less than 5 net tons engaged in trade which by reason of tonnage are exempt from documentation. They are also those motorboats and motor vessels of 5 net tons and over used exclusively for pleasure purposes which are not documented as yachts or those of less than 5 net tons which by reason of tonnage, are not entitled to be so documented.

Coast Guard District	Customs Port	Total
1 (Boston)	(4) Boston. 15,463 (1) Porthuod, Maine. 10,953 (2) St. Albans. 2,827 (5) Providence. 4,243	-
2 (St. Louis)	(45) St. Louis 17,505 (12) Pittsburgh 2,744 (34) Pembina 81 (25) Minneapolis 6,910 (40) Indianapolis 4,282	34,486
	(42) Lonisville 3, 903 (43) Memphis (part) 8, 186 (44) Vacant (Des Moines) 76 (46) Omaha (part) 488	11 557
3 (New York)	(10) New York	H, 250
5 (Norfolk)	(14) Norfolk 15,854 (13) Baltimore 22,389 (15) Wilmington, N. C 8,309	17, 145
7 (Mlami)	(18) Tamps (part)	46, 612
8 (New Orleans)	(20) New Orleans 19,497 (18) Tampa (part) 816 (19) Mobile 7,951 (21) Port Arthur 3,938 (22) Galveston 10,386 (23) Laredo 19,497 (24) El Paso 6 (23) Memphis (part) 76	25,013
9 (Cloveland)	(41) Cleveland. 13, 947 (7) Ogdensburg. 6, 545 (8) Rochester. 8, 570 (9) Buffalo. 8, 107 (30) Duluth. 4, 094 (37) Milwaukee. 12, 385 (38) Detroit. 28, 417 (39) Chicago. 8, 033	44,02
11 (Long Beach)	(27) Los Angeles	30, 068
12 (San Francisco)	(28) San Francisco. 20, 192 (47) Denver. 20, 192	10, 430
13 (Seattle)	(30) Seattle. 32,428 (29) Portland, Oregon. 9,754 (33) Great Falls. 1,030 (46) Omaha (part). 1,030	20, 19
14 (Honolulu)	(32) Honolulu	43, 212
17 (Junean)	(31) Juneau	3, 244 6, 688
Grand total		448, 625

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first-hand observation that these maritime hearing examiners are doing the job for which they were trained by education and experience and carefully selected; that they are doing it well, fairly, and impartially; and that any master, officer, or seaman who may ever be required to come before them, may do so with the utmost confidence that his every right

and privilege will be taken cognizance of, and protected.

Ship's Medicine Chest and First Aid at Sea

There is now available for procurement the publication entitled, "Ship's Medicine Chest and First Aid at Sea," prepared by the United States Public Health Service. Copies are on sale at \$3.50 each and may be obtained by writing direct to the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

Candidates for original licenses must present a certificate from the United States Public Health Service certifying that they have satisfactorily passed an examination based on the contents of this manual, or its equivalent.

LESSONS FROM CASUALTIES

Fire Caused by Welding

A fire recently occurred on board a tank vessel which again emphasizes the need to maintain adequate fire watches and remove fiammable materials from the vicinity of welding operations.

While the tanker was secured to a dock in a west coast shipyard, undergoing repairs, it was decided to fit some shelves for storage space on the bulkhead between the cargo hold and forepeak. The lead man who went down on the forepeak side had apparently miscalculated the number of decks below the main deck on which the welding was to occur, for where he believed the welding was to take place the bulkhead was clear. However, on the next deck above in a small compartment where the actual welding took place, some line and canvas lay against the bulkhead.

It appears from the investigation that the ship's officers were not aware of any intention on the part of the shipyard workers to weld in that lo-cality of the vessel. Heedless of any forewarnings, and placing no importance to detailing a fire watch, the shipyard workers commenced welding. During the process of welding the intense heat passed through the bulkhead setting fire to the line and canvas. The local fire department was called and the fire was extinguished. As a result of the fire, and the water used to extinguish the flames, considerable monetary damage prevailed.

It is quite evident that had the foreman considered the fire hazards in this small job and utilized all the safety precautions at his command, namely, detailed someone to stand fire watch, even though he had miscalculated the correct location of the shelves, the resultant damage, if any, would have been negligible.

Catching Motorboats Without Operators

Last year a fisherman reported to the Coast Guard that he found a gas screw, 28-foot boat running without anyone aboard. This happened while fishing off Astoria in the vicinity of the Columbia River Lightship. The weather at the time was rainy and squally, sea choppy, and visibility very poor. While busy fishing, this motorboat loomed up out of the rain and mist, apparently running in the same direction as they were, some 300 feet distant. They paid no attention to the boat when suddenly they noticed it was bearing down directly upon them. The fisherman managed to swing his boat clear and attempted to contact the owner of the other boat whom they knew by voice. However, he did not appear. The runaway boat then began going in circles and the fishing vessel followed the boat for half an hour, finally coming alongside, and a man was placed on board the runaway boat. The motorboat was running and in good order, nothing missing, but no one on board. A few undressed fish were on deck and a few dead fish were on the trawling lines, which were pulled in. The boat was brought back to port under its own power.

The sail boom on the motorboat appeared to have slipped down to the bottom of the mast as a result of a broken hauling wire. This wire ran from the after end of the boom to the hatch corner. Otherwise, the boat appeared to be in good order. The fisherman who owned the boat apparently fell overboard while his vessel was operating properly. It is possible that he grabbed at the hauling wire to support his weight and the wire broke, causing him to fall overboard. There appeared to be no evidence of foul play, nor any failure of material. It is assumed that the operator was drowned, as his body was not recovered, nor has other evidence been disclosed indicating that he had been rescued.

Again this year the single operator of a speedboat was thrown overboard. He was picked up by a passing pleasure craft, but the speedboat continued to run about in erratic circles at a high rate of speed. This occurred between Rockaway Point and Coney Island, N. Y., where there are many boats of all sizes and a speeding boat without an operator was a menace. A Coast Guard 83-foot cutter, a police launch, a Coast Guard amphibian aircraft, and a police helicopter, all gave chase to the speeding boat. The surface craft tried unsuccessfully to intercept the speedboat and put a man on board. Finally, the police helicopter succeeded in tracking the boat in its erratic circles and a police officer was dropped aboard and he brought the speedboat under control. During all this time it was fortunate that no one was hurt or injured.

The operation of a small motor craft can become a serious hazard to navigation if the only occupant, through some unforeseen turn of events, is thrown overboard. It is important that motorboat operators be careful so that accidents such as these will not repeat themselves.

SOS Hoaxes

False alarms may be made as a prank or practical joke. He who perpetrates a hoax by sending false radio distress signals is a sadistic type of person if he did it intentionally and is a very careless person if he did it inadvertently.

Distress reports must always be investigated. Various agencies stand ready to furnish assistance if necessary. If false alarms are reported, there is no way they can be distinguished from bona fide distress calls. While it is a violation of law to send false radio distress signals, it is noted that many are still being reported. Very often the distress false alarm stems from inexperienced persons who fancy they have heard distress signals. When being queried for exact details, such a person has been vague regarding the details. The most vicious of false distress alarms is that caused by the hoaxer. Almost invariably he is a person experienced in radio communication. Frequently he is a person bent on mischief. Sometimes he is a radio operator at some radio station playing a practical joke on his friends. He may be a radio operator who has concealed himself and with some purposely rigged equipment sets out to create dismay to one of his friends or acquaintances, sending a distress message to excite him. Very often the distress reports were heard by only one station or the information given was unlisted. In practically all cases, however, it was necessary to conduct extensive aerial and ship investigations. In the matter of safety of life at sea, there is no room for practical joking and those who perpetrate hoaxes may find themselves in the same situation as the small boy in Aesop's Fables who called wolves when there were none so many times that when assistance was needed no one paid any attention.

Paint Fire

Recently, there have been several instances where men painting lagging on superheated steam lines have tried to paint the exposed portion of superheated steam valves and have had their paint brushes catch on fire. In one case, the man tried to put his brush back in the paint bucket to extinguish the fire. He knocked the bucket over and set fire to the whole works.

The paint involved in these fires was heat-resisting aluminum. A sample was tested in the lab and found to have a flash point of 96° F. Naturally, this paint burns readily when placed on a metal surface which is heated by steam of a temperature of 720° F. (Courtesy, Marine Department, Standard Oil Co. of California, Safety Bulletin, July 1949.)

Damaged Three-Prong Plugs Are Dangerous

Users of three-pronged electrical plugs are warned to inspect all threepronged electrical plugs used on portable tools to insure that the ground prong is not damaged and will fit properly in the outlet.

Records show that numerous fatal electric shocks have been caused by the use of three-pronged plugs with damaged or bent ground plugs, thus allowing the ground pin to be inserted into a live contact in the receptacle.

The third prong of grounded plugs serves to ground the metal case of portable tools by connecting the case to the grounded outlet through an electric conductor. When inserted into a live contact, the ground connection carries current directly to the tool case.

Oxygen Breathing Apparatus

Recently on board a ship the oxygen breathing apparatus was inspected, following the procedure outlined in Safe Practice Pamphlet No. 5. In one case the oxygen bottle was only half full and most of the tools furnished were missing. In the other case one of the valves leaked at the stem.

It is strongly recommended that an officer test this apparatus regularly and replace low pressure bottles with full ones at the first opportunity. Missing tools should be replaced so as to have them available right in the kit.

Since the Cardoxide will keep indefinitely when sealed tightly but gradually deteriorates in the apparatus, it may be well to keep it in the bottle until needed. If this is done, however, a conspicuous tag should be placed under the cap of the regenerating can with some legend such as "Fill with Cardoxide before using."

It should be remembered that this apparatus is like the lifeboats. You don't expect to have to use it, but when it is needed it will likely be an emergency. When that emergency arises there will be no time to repair defects or to learn how to use the equipment.

Regular inspection and training of a number of men in actual wearing of the equipment is the only means of being sure that in an emergency the apparatus will serve its purpose. If a spare oxygen bottle is carried it can be used to give several men practice, keeping a full bottle for each apparatus for emergency use.

Recharging a bottle costs only about \$3 and the charge is the same regardless of the amount left in the bottle. Hence there would be no cost involved in using a partially depleted bottle for practice before it is sent in for recharging.

Learn how to use the equipment while you have time. When you need it, it will be too late.—Seamen's Safety Guide, February 1948.

Get Those Turns

It takes a lot of turns to hold a wire rope on a gypsy. That it is not safe to presume that all men know this was dramatically illustrated recently. A strain was taken on the topping lift pendant, but when the chain was unshackled the pendant could not be held and the boom dropped. A man was caught in the bight of the midship's guy and he went up the mast feet first. When his leg was only about 3 feet from the lead block on the cross tree the topping lift fouled and held the boom. The man then pulled himself upright, untangled his leg and slid down the rope to the deck. His only injuries were bruises sustained by striking the mast as he was jerked off his feet.

This type of accident seldom causes so little damage and injury. We can learn from this fortunate case the importance of checking on the men when booms are being raised or lowered to see that sufficient turns are taken to keep the boom under control. Some day we may find all ships equipped with topping lift winches, but until that time comes it will be necessary to assure safe use of the equipment at hand through close supervision. And, incidently try to keep men out of bights just in case.—

Stevedores' Guide, January 1948.



Amendments to Regulations

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard—Department of the Treasury

Subchapter D—Navigation Requirements for Certain Inland Waters [CGFR 49–39]

PART 80-PILOT RULES FOR INLAND

WATERS

SPECIAL DAY OR NIGHT SIGNALS

A notice regarding proposed

changes in the inspection and navigation regulations was published in the FEDERAL REGISTER dated August 23, 1949 (14 F. R. 5230), and a public hearing was held by the Merchant Marine Council on September 27, 1949, at Washington, D. C.

The purpose of the amendments to the Pilot Rules is to add a new § 80.32a which will prescribe a day signal to be exhibited by fishing vessels or boats when operating on inland waters with nets, lines, or trawls out. This new regulation is based on a petition submitted to the Coast Guard. The new regulation will require the same day marks for fishing vessels as presently required by Article 9 (k) of the International Rules (33 U. S. C. 79 (k)).

By virtue of the authority vested in me as Commandant, United States Coast Guard, by section 2, 30 Stat. 102, as amended; 33 U. S. C. 157, the following amendments to the regulations are prescribed, which shall become effective ninety (90) days after date of publication of this document in the FEDERAL REGISTER.

1. Part 80 is amended by adding a new center heading and § 80.32a which shall immediately follow § 80.32, reading as follows:

SPECIAL DAY OR NIGHT SIGNALS

§ 80.32a Day marks for fishing vessels with gear out. All vessels or boats fishing with nets or lines or trawls, when under way, shall in daytime indicate their occupation to an approaching vessel by displaying a basket where it can best be seen. If vessels or boats at anchor have their gear out, they shall, on the approach of other vessels, show the same signal in the direction from the anchor back towards the nets or gear.

2. Part 80 is amended by deleting the center heading "Signals, Day or Night, at Anchor, or Under Way, United States Coast and Geodetic Survey Vessels" which immediately precedes § 80.33.

(Sec. 2, 30 Stat. 102, as amended; 33 U. S. C. 157)

Dated: October 20, 1949.

[SEAL] MERLIN O'NEILL. Rear Admiral, U. S. Coast Guard. Acting Commandant.

[F. R. Doc. 49-8570; Filed, Oct. 25, 1949; 8:57 n. m., 14 F. R. 65171

TITLE 46-SHIPPING

Chapter I-Coast Guard, Department of the Treasury

Subchapter F-Marine Engineering

[CGFR 49-36]

CORRECTION OF PRIOR DOCUMENT AND CERTAIN EDITORIAL CHANGES

By virtue of the authority vested in me as Commandant, United States Coast Guard, by R. S. 4405, as amended, and section 101 of Reorganization Plan No. 3 of 1946, 46 U.S.C. 1, 375, the following corrections shall be made in Coast Guard Document CGFR 49-18, Federal Register Document 49-6694, filed August 16, 1949, and published in the FEDERAL REGISTER dated August 17, 1949, 14 F. R. 5079 et seq., and other editorial amendments which were inadvertently omitted from that document:

PART 51-MATERIALS

SUBPART 51.31-SEAMLESS CARBON AND ALLOY STEEL BOILER AND SUPERHEATER TURES

1. The note immediately following Subpart 51.31 is amended by adding the A. S. T. M. designation "A 213-46", a copy of which has been filed in the Division of the Federal Register. and copies are also on file with the various Coast Guard District Com-

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manders for reference purposes, so that this note will read as follows:

Nore: In substantial agreement with A. S. T. M. designations: A 192-44, A 210-46, A 209-46, and A 213-46, Certified Material-class B.

2. Section 51.31-80 (a) is corrected by inserting the word "not" between the words "are" and "decreased" in the third sentence so that the paragraph will read as follows:

§ 51.31-80 Finish. (a) Finished tubes shall be reasonably straight and have smooth ends free from burrs. They shall be free from injurious defects and shall have a workmanlike finish. Minor defects may be removed by grinding, provided the wall thicknesses and the outside diameters are not decreased to less than that permitted by § 51.31-75.

SUBPART 51.34-SEAMLESS STEEL PIPE

3. Section 51.34-5 (a) (1) is corrected by changing the phrase "one or more" to "either or both" so that it will read as follows:

8 51.34-5 Process-(a) Carbonsteel pipe. (1) The steel for grade A or B pipe shall be kilned steel made by either or both of the following processes: Open hearth or electric-furnace.

4. Section 51.34-50 (c) is corrected by inserting the word "etc." after the number "A 106-B" so that the paragraph will read as follows:

§ 51.34-50 Finish and marking. .

(c) Each length of pipe manufactured in accordance with this specification shall be legibly marked, either by stenciling, stamping, or rolling, with the manufacturer's name or brand, together with the designation A106-A (or A106-B, etc., depending on the grade of steel used), A206, A280, or A158, and the hydrostatic test pressure.

PART 52-CONSTRUCTION

SUBPART 52.01-PROCEDURE AND GENERAL REQUIREMENTS

1. Section 52.01-1 (k) is amended to read as follows:

§ 52.01-1 Definitions. . . .

(k) Maximum allowable pressure. The maximum allowable pressure of a boiler and superheater shall be considered as the highest setting of the safety valves.

SUBPART 52.25-OPENINGS AND REIN-FORCEMENTS

2. Section 52.25-15 (a) is amended by deleting the word "shell" from the value of "T" for formulas (1) and (2) so that it will read as follows:

§ 52.25-15 Computations. (a) * * *

Where:

T=minimum thickness of plate, in Inches.

PART 53-LOW-PRESSURE HEATING BOILERS

SUBPART 53.03-STEEL PLATE HEATING BOILERS

1. Section 53.03-60 (c) is amended by deleting the words "pipe size" from the last sentence thereof so that the paragraph will read as follows:

§ 53.03-60 Salety and relief valves.

(c) Each hot-water heating boiler shall have one or more approved relief valves of the spring-loaded type without disk guides on the pressure side of the valve. The valves shall be set to discharge at a pressure not exceeding the design pressure of the boiler. No relief valve shall be smaller than 3/4 inch nor larger than 2 inches.

2. Section 53.03-65 (f) (4) is corrected to read as follows:

\$ 53.03-65 Discharge capacities of safety and relief valves. * * * (f)

(4) Capacity ____ 1bs. per hour; or, (Steam safety valve marking) Capacity ---- B. t. u. per hour. (Relief valve marking)

SUBPART 53.05-CAST-IRON HEATING ROTLERS

3. Section 53.05-20 is amended to read as follows:

§ 53.05-20 Flanged connections. Flanged pipe connection openings in boilers shall conform to the standards given in table 55.07-15 (el) of § 55.07-15 (e) of this subchapter for the corresponding pipe size and shall have the corresponding drilling for bolts or studs.

PART 55-PIPING SYSTEMS, PUMPS, RE-FRIGERATION MACHINERY, AND FUEL TANKS

SUBPART 55.07-DETAIL REQUIREMENTS

1. Section 55.07-1 (a) is corrected to read as follows:

§ 55.07-1 Material. (a) Materials used in the manufacture of pipe, valves, flanges, fittings, or bolting shall conform with the requirements of this part as herein specified, and shall comply with the respective specifications of Part 51 of this subchapter unless alternate equivalent material is approved by the Commandant.

2. Section 55.07-15 (e) (2) is corrected to read as follows:

§ 55.07-15 Joints and flange connections. * . . .

(e) *

(2) The service pressure ratings for carbon steel pipe flanges and flanged fittings at design temperatures of 850° F. and below, and for alloy steel pipe flanges and flanged fittings at design temperatures of 1,000° F. and below shall conform to tables 55.07-15 (e12) and (e13). Service pressure ratings for alloy steel pipe flanges and flanged fittings for use in connection with design temperatures exceeding 1.000° F. will be given special consideration by the Commandant.

3. Table 55.07-20 (c2), regarding maximum allowable stresses, in § 55.07-20 (c), is corrected by changing the last figure in the third column from "6500" to "6800."

SUBPART 55.10-PUMPING ARRANGEMENTS AND PIPING SYSTEMS

4. Sections 55.10-10 (b) (3) and (c) (2) are corrected to read as follows:

§ 55.10-10 Boiler-feed and condensate piping.

(b) *

(3) River or harbor steam vessels shall have at least two means for feeding the boilers; one of which shall be an independently driven pump, the other may be an attached pump. an additional independently driven pump, or an injector.

(c) . . .

(2) In the unit feed system, a separate feed line shall be provided for each boiler from its pumps. A separate auxiliary feed line is not required. The discharge from each pump and the feed supply to each boiler shall be automatically controlled by the level of the water in that boiler. In addition to the automatic control, manual control shall be provided.

5. Section 55.10-13 is corrected to read as follows:

§ 55.10-13. Condensate pumps. Two means shall be provided for discharging the condensate from the main condenser, one of which shall be independent of the main propelling machinery. If one of the independent feed pumps is fitted with a direct suction from the condenser and a discharge to the feed tank, same will be acceptable for this purpose. On vessels operating on lakes (including Great Lakes), bays, sounds, or rivers, where provision is made to operate noncondensing, only one condensate unit will be required.

6. Section 55.10-20 (d) is corrected to read as follows:

§ 55.10-20 Circulating pumps. * * *

(d) On vessels operating on lakes (including Great Lakes), bays, sounds, or rivers, where provision is made to operate noncondensing, only one circulating unit will be required.

7. Sections 55.10-30 (a) (4), (b)

(3), and (i) are corrected to read as follows:

§ 55.10-30 Bilge pumps-(a) Selfpropelled passenger and cargo vessels, 180 feet or more. • •

(4) Vessels operating on lakes (other than Great Lakes), bays, sounds, or rivers, shall have at least two power pumps connected to the bilge main.

(b) Small self-propelled passenger and cargo vessels below 180 feet in length. • • •

(3) On vessels operating on lakes Great Lakes), bays, (including sounds, or rivers, where steam is always available, or where suitable water supply is available from a power pump of adequate pressure and capacity, syphons or eductors may be substituted for one of the required power pumps provided a syphon or eductor is permanently installed in each cargo hold or compartment.

(i) Other pumps. Sanitary, ballast, and general service pumps having the required capacity may be accepted as independent power bilge pumps if fitted with the necessary connections to the bilge pumping system.

8. Section 55.10-40 (a) is corrected to read as follows:

§ 55.10-40 Fuel oil service systems. (a) All discharge piping from the fuel oil service pumps to the burners shall be of Schedule 80 seamless steel.

9. Section 55.10-60 (f) is corrected to read as follows:

§ 55.10-60 Vent piping. • • • (f) Vent outlets from oil tanks shall be fitted with a single screen of corrosion-resistant wire, of at least 30 by 30 mesh, or two screens of at least 20 by 20 mesh, spaced not less than 1/2 inch nor more than 11/2 inches apart. The clear area through the mesh shall not be less than the required area of the pipe. Satisfactory means shall be provided for closing the openings of vent pipes without damaging flame screens.

10. Section 55.10-65 (a) is corrected by changing the first sentence to read as follows:

§ 55.10-65 Sounding pipes. (a) Oil tanks and water tanks shall be provided with manual means of sounding. . . .

SUBPART 55.16-INDEPENDENT INTERNAL COMBUSTION ENGINE FUEL TANKS.

11. Section 55.16-1 (a) is corrected by changing the first sentence to read as follows:

§ 55.16-1 Independent fuel tanks (internal combustion engines); emergency units for passenger vessels-(a) Scope. Passenger vessels constructed prior to July 1, 1935, may carry gasoline as fuel not exceeding 40 gallons to supply the emergency electrical system.

12. Section 55.16-15 (a) is corrected to read as follows:

§ 55.16-15 Independent gasoline tanks; cargo vessels. (a) The plans showing the proposed construction of all gasoline fuel tanks shall be submitted for approval.

PART 56-ARC WELDING, GAS WELDING, AND BRAZING

SUBPART 56.01-ARC WELDING AND GAS WELDING

Section 56.01-60 (c) is amended to read as follows:

§ 56.01-60 Welded nozzle connections. .

(c) Screwed and flanged connections shall meet the requirements of Part 55 of this subchapter. For boiler mountings see § 52.70-10 of this subchapter.

(R. S. 4405, 4417a, as amended, sec. 14, 29 Stat. 690, as amended, secs. 1, 2, 49 Stat. 1544, sec. 3, 54 Stat. 347, sec. 5, 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 366, 367, 1333, 50 U. S. C. 1275)

Dated: October 4, 1949.

[SEAL] MERLIN O'NEILL, Rear Admiral, U. S. Coast Guard, Acting Commandant.

[F. R. Doc. 49-8070; Filed. Oct. 6, 1949; 8:49 a. m., 14 F. R. 6116]

TITLE 46-SHIPPING

Chapter I-Coast Guard, Department of the Treasury

Subchapter F-Marine Engineering

[CGFR 49-42]

PART 55-PIPING SYSTEMS, PUMPS, REFRIGERATION MACHINERY, AND FUEL TANKS

CORRECTION OF PRIOR DOCUMENT AND CERTAIN EDITORIAL CHANGES

By virtue of the authority vested in me as Commandant, United States Coast Guard, by R. S. 4405, as amended, and section 101 of Reorganization Plan No. 3 of 1946, 46 U. S. C. 1, 375, the following corrections shall be made in Coast Guard Document CGFR 49-18, Federal Register Document 49-6694, filed August 16, 1949, and published in the Federal Register dated August 17, 1949, 14 F. R. 5079 et seq., which were inadvertently omitted from that document:

SUBPART 55.07-DETAIL REQUIREMENTS

1. Section 55.07-10 (d) is corrected

by inserting the phrase "or disk faces" immediately after the first word "disks" so that the paragraph will read as follows:

§ 55.07-10 Valves and fittings. * * *

(d) Disks or disk faces, seats, stems and other wearing parts of valves shall be made of material possessing corrosion and heat-resisting qualities suitable for the service conditions to which they may be subjected.

SUBPART 55.10-PUMPING ARRANGEMENTS AND PIPING SYSTEMS

Section 55.10-70 (j) is corrected to read as follows:

§ 55.10-70 Overboard discharges and shell connections.

(j) On passenger vessels where the bulkhead deck is higher than the freeboard deck, the requirements of this section shall be determined with respect to the bulkhead deck. For vessels not assigned load lines, such as certain inland vessels and barges, the weather deck shall be taken as the freeboard deck.

 (R. S. 4405, 4417a, sec. 14, 29 Stat. 690, 49 Stat. 1544, 54 Stat. 346, and sec. 5
(e), 55 Stat. 244, as amended; 46 U. S. C. 1, 366, 367, 375, 391a, 1333, 50 U. S. C. 1275)

Dated: October 26, 1949.

[SEAL] J. F. FARLEY, Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 49-8780; Piled, Oct. 31, 1949, 8:56 a. m., 14 F. R. 6645]

Equipment Approved by the Commandant

[CGFR 49-37]

By virtue of the authority vested in me as Commandant, United States Coast Guard, by R. S. 4405 and 4491, as amended; 46 U. S. C. 375, 489; and section 101 of Reorganization Plan No. 3 of 1946 (11 F. R. 7875, 60 Stat. 1097, 46 U. S. C. 1), as well as the additional authorities cited with specific items below, the following approvals of equipment are prescribed and shall be effective for a period of five years from date of publication in the FEDERAL REGISTER unless sooner canceled or suspended by proper authority:

BUOYANT CUSHIONS, KAPOK, STANDARD

Nore: Cushions are for use on motorboats of classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.007/86/0, Standard kapok buoyant cushion, U.S.C.G. specification 160,007, manufactured by The P. R. Mitchell Co., Spring

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Grove and Harrison Avenues, Cincinnati 22, Ohio.

Approval No. 160.007/87/0, Standard kapok buoyant cushion, U. S. C. G. specification 160.007, manufactured by Biewer's Fabric Mfg., Inc., 9853 Chalmers Avenue, Detroit 5, Mich.

(54 Stat. 164, 166; 46 U. S. C. 526e, 525p; 46 CFR 25.4-1, 160.007)

SIGNALS, DISTRESS, FLARE, RED, HAND

Approval No. 160.021/7/0, Hand red flare distress signal, model VK-M3, 5000 candlepower, 1 minute burning time, identified by Dwg. No. VK-M3B, dated April 30, 1949, and revised August 3, 1949, submitted by Van Karner Chemical Arms Corp., 202 East Forty-fourth St., New York, N. Y.

(R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 160.021)

SIGNALS, DISTRESS, SMOKE, ORANGE, FLOATING

Approval No. 160.022/1/0, Floating Orange Smoke Distress Signal Model V-K-M1, identified by Dwg. No. M-100C, dated December 21, 1942, revised October 21, 1948, and specification No. M-100D, dated July 18, 1949, submitted by Van Karner Chemical Arms Corp., 202 East Forty-fourth Street, New York, N. Y.

(R. S. 4417a, 4426, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 481, 1333, 50 U. S. C. 1275; 46 CFR 160.022)

LIFEBOATS

Approval No. 160.035/249/0, 14'x 5.29'x2.17' Steel, oar-propelled lifeboat, 9-person capacity, identified by Construction and Arrangement Dwg. No. 3279, dated May 16, 1949, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J.

Approval No. 160.035/254/0, 16'x 6.25'x2.5' Steel, oar-propelled lifeboat, 15-person capacity, identified by Construction and Arrangement Dwg. No. 1618, dated June 14, 1949, and revised July 22, 1949, submitted by the Lane Lifeboat & Davit Corp., foot of Fortieth Road, Flushing, N. Y.

(R. S. 4417a, 4426, 4481, 4488, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 396, 404, 474, 481, 490, 1333, 50 U. S. C. 1275; 46 CFR 37.1-1, 59.13, 76.16, 94.15, 113.10)

TELEPHONE SYSTEMS, SOUND POWERED

Approval No. 161.005/13/1, Sound powered telephone station, selective ringing, common talking, 11 stations maximum, bulkhead mounting, splashproof, with separately mounted 6" hand generator bell, Type A. Model E. Dwg. No. 3, Alt. 3, manufactured by Hose-McCann Telephone Co., Inc., Twenty-fifth Street and Third Avenue, Brooklyn 32, N. Y.

(Supersedes Approval No. 161.005/ 13/0 published in FEDERAL REGISTER July 31, 1947.)

(R. S. 4417a, 4418, 4426, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended, 46 U. S. C. 367, 391a, 392, 404, 1333, 50 U. S. C. 1275; 46 CFR 32.9-4, 63.11, 79.12, 97.14, 116.10)

LIQUID LEVEL GAUGING DEVICES, LIQUE-FIED COMPRESSED GASES

Approval No. 162.019/1/0, Rego No. 2148R, liquefied petroleum gas, slip tube liquid level gauge, Dwg. No. 2148R, revised May 22, 1941, Alt. E, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, Ill.

Approval No. 162.019/2/0, Model No. 62B, Metal Goods Manufacturing liquefied petroleum gas slip tube liquid level gauge, Dwg. No. L107, 17 sheets, manufactured by Metal Goods Manufacturing Co., 106–110 South Park Avenue, Bartlesville, Okla.

Approval No. 162.019/3/0. Model No. 62D, Metal Goods Manufacturing liquefied petroleum gas and anhydrous ammonia slip tube liquid level gauge, stainless steel parts, Dwg. No. L106, sheets 1 to 15, inclusive, dated January 21, 1948, and Dwg. No. 115, sheets 1 to 5, inclusive, manufactured by Metal Goods Manufacturing Co.. 106-110 South Park Avenue, Bartlesville, Okla.

(R. S. 4417a, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275; 46 CFR Part 38)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/16/1, "No. 100 Ultralite MC Insulation," Glass wool insulation type Incombustible Material identical to that described in National Bureau of Standards Test Report No. TG 3610-1519; FP 2622, dated May 19, 1948, approved in a one pound per cubic foot density, manufactured by Gustin-Bacon Manufacturing Co., 1412 West Twelfth Street, Kansas City, Mo. (Supersedes Approval No. 164.009/16/0, published in Federal Register July 1, 1948.)

Approval No. 164.009/19/0, "Fiberglas Insulation Type TW-MC-611," glass wool insulation type Incombustible Material identical to that described in National Bureau of Standards Test Report No. TG10210-1624: FP2806, dated August 9, 1949, approved in a two pound per cubic foot density, manufactured by Owens-Corning Fiberglas Corp., Toledo 1, Ohio.

Approval No. 164.009/20/0, "Fiberglas Insulation Type PF-314," glass wool insulation type Incombustible Material identical to that described in National Bureau of Standards Test Report No. 'TG10210-1624: FP2806, dated August 9, 1949, approved in a one-half pound per cubic foot density, manufactured by Owens-Corning Fiberglas Corp., Toledo 1, Ohio,

Approval No. 164.009/22/0, "Fiberglas Insulation Type PF-316," glass wool insulation type Incombustible Material identical to that described in National Bureau of Standards Test Report No. TG10210-1624: FP2806, dated August 9, 1949, approved in a one pound per cubic foot density, manufactured by Owens-Corning Fiberglas Corp., Toledo 1, Ohio.

(R. S. 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 1028, sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 369, 391a, 404, 463a, 50 U. S. C. 1275; 46 CFR Part 144)

Dated: October 4, 1949.

[SEAL] MERLIN O'NEILL,

Rear Admiral, U. S. Coast Guard, Acting Commandant.

[F. R. Doc. 49-8069; Filed, Oct. 6, 1949; 8:49 a. m., 14 F. R. 6117]

TERMINATION OF APPROVAL OF EQUIPMENT

[CGFR 49-38]

By virtue of the authority vested in me as Commandant, United States Coast Guard, by R. S. 4405 and 4491, as amended, 46 U. S. C. 375, 489; and section 101 of Reorganization Plan No. 3 of 1946, 11 F. R. 7875, 60 Stat. 1097, 46 U. S. C. 1, as well as the additional authorities cited with specific items below, the following approvals of equipment are terminated because the items of equipment covered are no longer being manufactured or the equipment is now manufactured under new approved numbers:

SIGNAL PISTOLS

NOTE: Approval withdrawn because item is no longer manufactured.

Termination of Approval No. 160.-028/4/0, No. 3 signal pistol, Dwg. No. M-101, dated March 1943, manufactured by Columbia Appliance Corp., 8 Forty-third Road, Long Island City 1, N. Y. (Approved Federal Register July 31, 1947.)

(R. S. 4417a, 4426, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 1333, 50 U. S. C. 1275; 46 CFR 33.3-1, 33.3-2, 59.11, 76.14)

LIQUEFIED PETROLEUM GAS VALVES, FITTINGS AND GAUGES

Note: Approvals withdrawn because the approvals are transferred from subpart No. 162.018 to a new subpart No. 162.019.

Termination of Approval No. 162.-018/14/0, Rego slip tube liquid level gauge, liquefied petroleum gas service, marked "Rego No. 2148R," bronze body, Dwg. No. 2148R, revised May 22, 1941, Alt. E, and catalog L500 Section L J, manufactured by The Bastian-Blessing Co., 4201 West Petersen Avenue, Chicago, III. (Published in Federal Register July 31, 1947.)

Termination of Approval No. 162.-018/17/0, Model No. 62B, liquefied petroleum gas tank gauge, slip tube type, Dwg. No. L107, sheets 1 to 23, inclusive, manufactured by Metal Goods Manufacturing Co., 106-110 South Park Avenue, Bartlesville, Okla. (Published in Federal Register Oct. 2, 1948.)

Termination of Approval No. 162.-018/23/0. Model No. 62D, liquefied petroleum gas tank gauge, slip tube type, stainless steel parts, Dwg. No. L106, sheets 1 to 15, inclusive, dated January 21, 1948, manufactured by Metal Goods Manufacturing Co., 106-110 South Park Avenue, Bartlesville, Okla. (Published in Federal Register Oct. 2, 1948.)

(R. S. 4417a, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 391a, 50 U. S. C. 1275; 46 CFR Part 38)

CONDITIONS OF TERMINATION OF APPROVALS

The termination of approvals of equipment made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FED-ERAL REGISTER. Notwithstanding this termination of approval on any item of equipment, such equipment manufactured before the effective date of termination of approval may be used on merchant vessels so long as it is in good and serviceable condition.

Dated: October 5, 1949.

SEAL) MERLIN O'NEILL, Rear Admiral, U. S. Coast Guard, Acting Commandant.

[F. R. Doc. 49–8136; Filed, Oct. 10, 1949; 8:48 a. m., 14 F. R. 6156]

FUSIBLE PLUGS

The Marine Engineering Regulations and Material Specifications require that manufacturers submit samples from each heat of fusible plugs to the Commandant for test prior to plugs manufactured from the heat being used on vessels subject to inspection by the Coast Guard. A list of approved heats which have

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been tested and found acceptable from September 15 to October 15, 1949, is as follows:

H. B. Sherman Manufacturing Co., 22 Barney Street, Battle Creek, Mich. Heats Nos. 686 through 689.

The Lunkenheimer Co., P. O. Box 360 Annex Station, Cincinnati 14, Ohio, Heat No. 345.

AFFIDAVITS

The following affidavits were accepted from September 15 to October 15, 1949:

McDonnell & Miller, Inc., Wrigley Building, Chicago, Ill. Valves and pipe fittings.

Scovill Manufacturing Co., Screw Machine Products Division, P. O. Box 1820, Waterbury 91, Conn. Pipe fittings.

Wilkerson Valve, Inc., 260 South Dale Court, Denver 9, Colo. Valves.

The Williams Gauge Co., 1620– 22–24 Pennsylvania Avenue, Pittsburgh 12, Pa. Valves.

NEW PUBLICATIONS AVAILABLE

The following publications affecting the merchant marine have been released and are available upon request at places indicated with each publication:

Pilot Rules for Certain Inland Waters of the Atlantic and Pacific Coasts and of the Coast of the Gulf of Mexico, dated August 1, 1949, pamphlet No. CG 169, available from any Marine Inspection Office, U. S. Coast Guard, or upon written request to Commandant (HA), United States Coast Guard, Washington 25, D. C.

Pilot Rules for the Western Rivers and the Red River of the North, dated August 1, 1949, pamphlet No. CG 169, available from any Marine Inspection Office, U. S. Coast Guard, or upon written request to Commandant (HA), United States Coast Guard, Washington 25, D. C.

General Rules and Regulations for Vessel Inspection, Great Lakes, dated August 1, 1949, pamphlet No. CG 169, available from any Marine Inspection Office, U. S. Coast Guard, or upon written request to Commandant (HA), United States Coast Guard, Washington 25, D. C.

Ship's Medicine Chest and First Aid at Sca, prepared by the Public Health Service available from the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Cost \$3.50 per copy.

> DON'T GET CAUGHT WITH YOUR GLANCE DOWN.