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Title 46—SHIPPING

Chapter I—Coast Guard, Department
of Transportation

SUBCHAPTER E—LOAD LINES
[CGFR 87-43]

PART 45—MERCHANT VESSELS WHEN ENGAGED IN A VOYAGE ON THE GREAT LAKES

Subpart 45.01—Administration

SEASONAL LOAD LINES FOR VESSELS MARKED
AND CERTIFICATED UNDER OR IN ACCORD-
ANCE WITH INTERNATIONAL CONVENTION
ON LOAD LINES OR FOR OCEAN DOMESTIC
SERVICE

Under 46 CFR 45.01-75(b) special provisions are made for those vessels that are marked and certificated under the International Load Line Convention, 1930, when such vessels may be engaged on a voyage on the Great Lakes. The freeboards which may be assigned to U.S. vessels for ocean domestic service, in accordance with 46 CFR 43.15-98 or 43.30-75 or in accordance with 46 CFR 43.03-1(c) published in the FEDERAL REGISTER of January 6, 1967 (32 F.R. 77), may differ from those permitted by the International Load Line Convention, 1930. In order to clearly indicate the freeboards which apply to vessels marked with international or coastwise load lines issued under 46 CFR Part 43 when in Great Lakes waters, the text of 46 CFR 45.01-75(b) is revised to describe the applicable marks and have the effect, in most cases, of permitting ocean vessels to operate on the Great Lakes at essentially the same drafts as heretofore.

In view of the fact that U.S. vessels in ocean domestic service may engage in Great Lakes voyages, and such vessels may be marked and certificated under provisions other than the International Load Line Convention, 1930, as provided by 46 CFR 43.15-98, 43.30-75 or 43.03-1(c), it is hereby found that it is necessary in the public interest to permit recognition and use of such markings and certificates while such vessels may be engaged in Great Lakes voyages. It is found that compliance with the Administration Procedure Act (respecting notice of proposed rule making, public rule making procedures thereon and effective date requirements) is contrary to the public interest, and therefore, these actions are exempt from such requirements under the provisions of section 4 of that Act (5 U.S.C. 553). However, any person or organization who may feel aggrieved by these changes in the regulations, may submit an informal appeal (letter) to the Commandant (CMC), U.S. Coast Guard, Washington, D.C. 20591,

within 60 days from date of publication of this document in the FEDERAL REGISTER setting forth those portions of the regulations in 46 CFR 45.01-75(b) to which objection is taken, the reasons or basis for such objection, the name and address of submitter, his business firm or organization (if any), and whether or not further written or oral arguments are desired to be submitted.

By virtue of the authority vested in me as Commandant, U.S. Coast Guard by section 632 of Title 14 United States Code, subsection 6(b) of Department of Transportation Act (Public Law 89-670, 80 Stat. 931), and Department of Transportation Order 1100.1 dated March 31, 1967 (49 CFR 1.4(a)(2), 32 F.R. 5606), and the authorities cited with the regulations below, the following amendments are prescribed, which shall be effective on and after the date of publication of this document in the FEDERAL REGISTER:

1. The authority note for Part 45 is amended to read as follows:

AUTHORITY: The provisions of this Part 45 issued under sec. 2, 49 Stat. 888, as amended; 46 U.S.C. 88a, Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606.

2. Section 45.01-75(b) (including Table 45.01-75(b) and note) is amended to read as follows:

§ 45.01-75 Seasonal load lines.

(b) (1) For those vessels that are marked with international or coastwise load lines under Part 43 in this subchapter, the load line marks applicable to voyages on the Great Lakes shall be in accordance with Table 45.01-75(b) (1).

TABLE 45.01-75(b) (1)

Load line mark, salt water	Season applicable
Tropical (T)-----	May 1-Sept. 30 (summer).
Summer (S)-----	Apr. 16-30, Oct. 1-31 (intermediate).
Winter (W)-----	Nov. 1-Apr. 15 (winter).

(2) Cargo and tank vessels, as defined in §§ 45.01-15 and 45.01-17 and bearing marks forward of the disk issued under Subpart 43.15 or Subpart 43.30 (exclusive of §§ 43.15-98 and 43.30-75), may be authorized to load to the tropical fresh water mark (TF) during the midsummer season. In such cases a special supplementary certificate shall be issued.

(3) Alternatively, vessels engaged in voyages in the St. Lawrence River no further west than Montreal may utilize their seasonal marks in accordance with the ocean seasonal limits which regularly apply to voyages east of the lines defined in § 45.01-1(d).

(4) Vessels loading in salt water and proceeding to fresh water shall load on the basis that the seasonal freeboards in each case are increased by the amount of the fresh water allowance stated in the load line certificate.

Dated: September 21, 1967.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

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A: None

B: n(35); c(16); q(6); r(5);
e(3); d(2); bp(1)

C: m(4); o(1)

D: ir(2); k(1)

E: m(2); o(1)

F: None

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