Federal citation	State analog
1. HSWA Codification Rule; Corrective Action, (50 FR 28702) July 15, 1985. Checklist 17L).	New Mexico Statutes Annotated (NMSA) 1978, §§ 74–4–4 (A) (5) (h), 74–4–4 (E), 74–4–4.2 (B) (C), §§ 74–4–4(a) (5) (i), 74–4–10.1 and 74–4–10 (E) (Replacement Pamphlet 1993); Hazardous Waste Management, New Mexico Environmental Improvement Board, 20 New Mexico Administrative Code (NMAC) 4.1.501, Subparts V, and IX, .501, .502 and .901 as amended September 23, 1994, effective September 23, 1994.
2. HSWA Codification Rule 2; Permit Application Requirements Regarding Corrective Action, (52 FR 45788) December 1, 1987. (Checklist 44A).	NMSA 1978, §§ 74–4–4 (A) (6) and 74–4–4 (E) and 74–4–4.2 (A) (Repl. Pamp. 1993); 20 NMAC 4.1.901 Subpart IX, as amended September 23, 1994, effective September 23, 1994.
3. HSWA Codification Rule 2; Corrective Action Beyond Facility Boundary, (52 FR 45788) December 1, 1987. (Checklist 44B).	NMSA 1978, §§ 74–4–4 (A) (5) (i), 74–4–4 (E), 74–4–4.2 (B), and 74–4–10 (E) (Repl. Pamp. 1993); 20 NMAC 4.1.501 Subpart V and .502, as amended September 23, 1994, effective September 23, 1994.
4. HSWA Codification Rule 2; Corrective Action for Injection Wells, (52 FR 45788) December 1, 1978. (Checklist 44C).	NMSA 1978, §§ 74–4–4 (A) (5) (f), (h) and (i), 74–4–4 (E) and 74–4–4.2(B) (Repl. Pamp. 1993); 20 NMAC 4.1.901, as amended December 1, 1987, effective December 1, 1987.

New Mexico is not authorized to operate the Federal program on Indian lands. This authority remains with EPA.

C. Decision

I conclude that New Mexico's application for program revision meets the statutory and regulatory requirements established by RCRA. Accordingly, New Mexico is granted authorization to operate its hazardous waste program as revised. New Mexico now has responsibility for permitting treatment, storage, and disposal facilities within its borders and for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the Hazardous and Solid Waste Amendments. New Mexico also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under sections 3008, 3013, and 7003 of RCRA.

D. Codification in Part 272

EPA uses 40 CFR part 272 for codification of the decision to authorize New Mexico's program and for incorporation by reference of those provisions of New Mexico's Statutes and regulations that EPA will enforce under sections 3008, 3013, and 7003 of RCRA. Therefore, EPA is reserving amendment of 40 CFR part 272, subpart GG until a later date.

Compliance With Executive Order 12866

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12866.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 4 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of New Mexico's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. This authorization does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: October 6, 1995.

A. Stanley Meiburg,

Acting Regional Administrator.

[FR Doc. 95–25652 Filed 10–16–95; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 171

[CGD 94–010]

RIN 2115–AE75

Standards for Damage Stability of New Domestic Passenger Vessels

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending the rules, on standards for damage stability, that it adopted on December 10, 1992. Amended rules are necessary to relieve certain vessels of an unforeseen regulatory burden. The amended rules will relieve those vessels of that burden and yet reduce the potential for capsizing and other casualties caused by inadequate damage stability.

DATE: This rule is effective on April 15, 1996.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Executive Secretary, Marine Safety Council (G–LRA, 3406), U.S. Coast Guard Headquarters, 2100 Second Street SW., room 3406, Washington, DC 20593–0001, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267–1477.

FOR FURTHER INFORMATION CONTACT: LCDR Robert Holzman, Marine Technical and Hazardous Materials Division (G–MTH–3), room 1308, Coast Guard Headquarters; telephone (202) 267–2988, telefax (202) 267–4816.

SUPPLEMENTARY INFORMATION:

Drafting Information: The principal persons involved in the drafting of this final rule are LCDR Robert Holzman, Project Manager, Office of Marine Safety, Security, and Environmental Protection, and Patrick Murray, Project Counsel, Office of Chief Counsel.

Background and Purpose

Regulatory History

On February 13, 1990, the Coast Guard published (55 FR 5120) a notice of proposed rulemaking (NPRM) entitled Stability Design and Operational Regulations. During the 60-day comment period, the Coast Guard received 28 letters. Only 2 of the 28 included comments on the standards for damage stability of new domestic passenger vessels.

On September 11, 1992, the Coast Guard published (57 FR 41812) a final rule, also entitled Stability Design and Operational Regulations. This adopted standards from the proposed rule.

On December 10, 1992, the final rule went into effect. Soon afterward, the Coast Guard received inquiries on the appropriateness of the standards—then in 46 CFR 171.080 (e), now in (f)—for certain new domestic passenger vessels.

On July 7, 1993, the Coast Guard published (58 FR 36374) a notice to announce a public meeting on August 5, 1993. This meeting was to discuss what if any problems were being encountered in complying with the standards and what if any measures might be appropriate.

On August 5, 1993, at the public meeting, discussions occurred on the application of the standards to certain new domestic passenger vessels, especially those operating in protected and partially-protected waters. Comments indicated that some designers were encountering unexpected difficulties.

The Coast Guard believes that compliance with the current standards is feasible, and achievable with minimal changes in design. But it also believes that it can relax those standards on certain waters without degrading safety. This is consistent with the Coast Guard's goal of eliminating any differential induced by the Coast Guard between requirements that apply to U.S. vessels in international trade and those that apply to similar vessels in international trade that fly the flags of responsible foreign nations.

On August 27, 1993, therefore, in response to requests that it reconsider the standards to apply on certain waters, the Coast Guard published [58 FR 45264] a notice temporarily suspending § 171.080(e), for all vessels without SOLAS Passenger Ship Certificates, and reopening the comment period for 90 days. The delay would also allow further research by the Coast Guard into the application of the standards to new domestic passenger vessels.

On February 25, 1994, in response to the comments received, the Coast Guard published [59 FR 9099] a notice of intent to issue an NPRM and in definitely extended the temporary suspension of § 171.080(e), for all vessels without SOLAS Passenger Ship Certificates.

On August 10, 1994, the Coast Guard published [59 FR 40855] a second NPRM, with a request for comments and a notice of a public hearing, entitled Standards for Damage Stability of New Domestic Passenger Vessels. On September 30, 1994, the first public hearing occurred. During the 60-day comment period, the Coast Guard received one letter, which sought both a longer comment period and a second public hearing. The Coast Guard granted both requests.

On November 4, 1994, the Coast Guard published [59 FR 55232] a notice announcing the second public hearing and reopening the comment period. On December 1, 1994, the second public hearing occurred. During the 120-day comment period, the Coast Guard received 14 more letters for a total of 15.

Fourteen persons attended the first public hearing, where five of them delivered spoken comments. Four persons attended the second public hearing, where none of them delivered spoken comments.

Reasons for Reconsidering Standards for Damage Stability

Even as recently as February 13, 1990, the sudden growth in the number of excursion vessels and gambling vessels on protected and partially-protected waters, especially western rivers, was unforeseen. By December 10, 1992, therefore, when the current standards came into effect, further research into and investigation of the impact of the standards on these vessels had become necessary.

The Coast Guard extended its work with the Volpe Transportation Systems Center of the Department of Transportation (''Volpe Center'') to examine at least six more vessels as we had examined a number earlier in the regulatory process. The six vessels submitted for examination ply mainly protected and partially-protected waters; they include gambling vessels, a type not examined closely in the earlier study. The Coast Guard released a detailed analysis of the failures, design changes, and economic impact in September 1994, and a copy is available in the regulatory docket.

Discussion of Comments and Changes

The Coast Guard considered both written and spoken comments in the development of this final rule. There were 15 written comments submitted to the docket, and there were spoken comments from 5 people at the two public hearings.

Two commenters asked for an increase in the grace period for this rule, to protect designs currently on the drawing board. The standards in this rule have been before the public, with every prospect of getting adopted, for more than four years; this is generally more than enough time for prudent designers to integrate them into new designs. However, because they have changed over those four years, the Coast Guard here doubles the grace period from three months after publication to six months.

Two commenters still had some concern with clarifying the definitions of *watertight* and *weathertight* for use under this rule. As a result, the Coast Guard clarified them in new 46 CFR 171.080(d) (3) and (4). These definitions are consistent with current policy and rules.

Another commenter asked that vessels unable, because of the shallow depth of their operating areas, to sink or capsize be exempted from these standards. The Coast Guard generally agrees, but this type of allowance is the proper business of an equivalency ruling by the Coast Guard Marine Safety Center that will consider the particular features of every vessel.

One commenter said he did not like the designation, by rule, of areas as protected, partially-protected, and exposed, which is generally a matter for the Officer in Charge, Marine Inspection (OCMI). He stated that, since these designations can vary between ports, he would have to consult the OCMI ahead of the design to determine which areas the vessel would be plying. The Coast Guard agrees that the definitions of areas can vary from port to port. However, with his or her local knowledge the OCMI is the one best able to designate areas. And, regardless, a designer already must know his vessel's prospective route to meet the other standards in current rules.

Eight commenters expressed varying concerns with the vagueness of the proposed standard on passenger heeling moment. These concerns ranged from a belief that the same standard on heeling moment, applied to the same vessel, could make a vessel both pass and fail, to a belief that the wind heeling and passenger heeling moments should be applied simultaneously, not separately. The Coast Guard finds much merit in the commenters' concerns with the wording of this paragraph. The best solution is to remove the interpretive language from this section. In removing this language the Coast Guard has employed a liberal constant; this maintains the new formulation of the reworded paragraph in general agreement with the intent of the interpretive language. The reworded paragraph reduces the passenger heeling moment in paragraph (f)(4)(i) for all vessels used in the research by the Volpe Center (''Volpe study'').

One commenter asked for a further reduction of the heeling moments for specific types of vessels operating 20 or fewer miles from land. The Coast Guard

does not believe any further reduction of this standard is warranted. This position is borne out by the Volpe study as well as by comments from those who checked the proposed standards against designs of existing vessels.

Two commenters noted concerns with the application of passenger heeling moment to vessels that, because of their arrangements, do not have either port or starboard egress for passenger evacuation. These vessels generally do have either forward or aft egress, use of which would subject the vessel not to the transverse heeling moment but rather to a longitudinal trimming moment. The Coast Guard agrees that vessels with neither port nor starboard egress should be exempted from the requirement of transverse heeling moment and should be subject instead to one of longitudinal trimming moment. Therefore, a new paragraph (f)(5) gives vessels that fit this criterion the option of being exempt from the requirement of transverse heeling moment in (f)(4)(i) if they show enough longitudinal trimming moment during an equivalent forward or aft egress.

One commenter questioned the origin of the value of 7 degrees for the angle of equilibrium. As far as we can determine, this value was incorporated into domestic regulations and international standards more than fifty years ago, based on experience. It seems to have been a judgment call to define an acceptable safety margin and minimize passenger discomfort and panic that, through many years of satisfactory use, has proved acceptable.

One commenter asked why the value of righting area in paragraph (f)(6)(iii)(A) was 0.035 m-rad instead of 0.0175 m-rad, the latter value agreeing with the value in the load-line rules in 46 CFR subpart 42.20. The value in 46 CFR subpart 42.20 does not have the same basis as the one here and applies to a wider range of vessels with varying services. An increase of 8 degrees in the allowable angle of equilibrium for a passenger vessel, due to an increase in the righting area of only 0.0025 m-rad from the standard 0.015 m-rad, is unacceptable. The increase of 0.020 m-rad is acceptable, and is equivalent for the increase of 8 degrees in the allowable angle of equilibrium. Still, the Coast Guard does acknowledge merit in a requirement that a vessel with an increase of only 2 degrees in the final angle of equilibrium has to achieve only an equivalent increase in the righting-arm area rather than an increase of the full 0.20 rad. So the Coast Guard has changed this paragraph to allow a corresponding increase in the area for those vessels with an increase in the final angle of equilibrium.

One commenter opposed the values for righting area and range of stability—given in paragraph (f)(8), for intermediate stages of flooding—on the grounds that these values are much more stringent than those for the final stage of flooding. The Coast Guard generally checks intermediate stages of flooding only for those vessels whose stability is marginal or whose stability, because of their arrangement, may be critical during intermediate stages of flooding. The Coast Guard agrees that these values should reflect the reduced value used in paragraph (f)(1), and has changed the values in (f)(9) to correspond with those in (f)(1).

One commenter expressed concern over the standards for oceanographic vessels sailing on international voyages but not carrying SOLAS Certificates. The Coast Guard has clarified the wording to show that these vessels would have to meet the requirements in paragraph (f).

One commenter ventured that the proposed rule might adversely affect safety in a material way. The Coast Guard disagrees and has determined that the current (suspended) standards can be relaxed without degrading safety. Those standards provided no increased increment of safety for vessels operating on protected and partially protected waters, and imposed unnecessary cost.

One commenter argued that the Coast Guard used the current (suspended) rule as a datum against which to measure costs and that the Coast Guard should not have. The commenter is right in the first part but wrong in the second. The Coast Guard had already justified the costs of the current (suspended) rule. The proposed rule, made final here, stands much closer to the current (suspended) rule than to the predecessor of that rule. So that rule, rather than its predecessor, represents the proper point of departure for evaluating this rule.

One commenter alleged that the proposed rule would affect vessels under contract with a value of $334.5m; that, therefore, its effect on the economy would exceed $100m; and that, therefore, it constituted a ''significant regulatory action'' within the terms of Executive Order 12866. But the correct measure is the marginal effect of the rule, not the value of the property affected. Otherwise, the Office of Management and Budget (OMB) would have to accord full scrutiny to the most minor of changes to regulations simply because they affect property with a high value.

One commenter criticized as ''incomprehensible'' the ''choice'' of the Coast Guard not to review the proposed rule under Executive Order 12866. But, when the preamble stated [at 59 FR 40857] that the proposed rule had ''not been reviewed under E.O. 12866'', it meant just that the rule—not being a ''significant regulatory action'' under the terms of the Order itself—had not been reviewed by the OMB.

Three commenters offered sound advice toward improvements to the rule, using, for example, roll dynamics. However, because this project is at the stage of final rule, we cannot accomplish these improvements (without reopening the rulemaking for public comment, again). These comments will be considered for possible future rulemaking.

Three commenters also addressed the general application and implications of these rules. Remarks ranged from opposition to any reduction of standards to an objection to the imposition of any standards. Each of these remarks possessed more or less merit. However, the Coast Guard, having entertained all responses to the proposed rule, considers that the final rule embodies hard-fought, necessary, legal, achievable, and acceptable standards for the damage stability of new passenger vessels.

Regulatory Evaluation

This rule is not a significant regulatory action under Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. It has not been reviewed by the OMB. It is not significant under the Regulatory Policies and Procedures of the Department of Transportation [DOT Order 2100.5 (May 22, 1980)]. Nonetheless, a Regulatory Evaluation is available in the docket for inspection or copying where indicated under **ADDRESSES**.

The marine industry will realize an estimated annual benefit of $250,000 as a result of this rule. There is no cost associated with this rule, which reduces the number of vessels affected by current rules.

Small Entities

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

Collection of Information

This rule will not increase the paperwork burden on the public. The only paperwork involves ship-design calculations used in the development of stability information, and this information is already subject to review by the Coast Guard under 46 CFR 170.110. The Coast Guard previously sought approval for its collection of this information, developed from these and other calculations, from OMB under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*); and the OMB granted approval. The applicable control numbers from OMB are 2115–0095, 2115–0114, 2115–0130, and 2115–0131.

Federalism

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

This rule will establish standards for damage stability of new domestic passenger vessels. The authority to establish these standards in all navigable waters of the United States is committed to the Coast Guard by Federal statutes. Furthermore, since passenger vessels often move from port to port in the national and international marketplace, standards for them should be of at least national scope to avoid unreasonably burdensome variances. Therefore, the Coast Guard intends this rule to preempt State action addressing these standards.

Environment

The Coast Guard has considered the environmental impact of this rule and concluded that, under paragraph 2.B.2.c of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation. This rule requires minimal standards for damage stability of new domestic passenger vessels. It will not govern how potential pollutants or hazardous materials are carried on board these vessels, though stabler vessels should reduce the number of uncontrolled releases of pollutants or hazardous materials into the environment. It does not result in any—

1. Significant cumulative impacts on the human environment;
2. Substantial controversy or substantial change to existing environmental conditions;
3. Impacts more than minimal on properties protected under sub-§ 4(f) of the DOT Act as superseded by Public Law 97–449, or under § 106 of the National Historic Preservation Act; or
4. Inconsistencies with any Federal, State, local, or tribal laws or administrative determinations relating to the environment.

A Determination of Categorical Exclusion is available in the docket for inspection or copying where indicated under **ADDRESS**.

List of Subjects in 46 CFR Part 171

Marine safety, Passenger vessels.

For the reasons set out in this preamble, the Coast Guard proposes to amend 46 CFR part 171 as follows:

PART 171—SPECIAL RULES PERTAINING TO VESSELS CARRYING PASSENGERS

1. The citation of authority for Part 171 is revised to read as follows:

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

2. In section 171.080, paragraph (f) is redesignated as paragraph (h), paragraphs (d) and (e) are redesignated as paragraphs (e) and (f), new paragraphs (d) and (g) are added, and newly designated paragraphs (e) introductory text and (f) are revised to read as follows:

§ 171.080 Damage stability standards for vessels with Type I or Type II subdivision.

* * * * *

(d) *Definitions.* For the purposes of paragraphs (e) and (f) of this section, the following definitions apply:

(1) *New vessel* means a vessel—

(i) For which a building contract is placed on or after April 15, 1996;

(ii) In the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction, on or after April 15, 1996;

(iii) The delivery of which occurs on or after January 1, 1997;

(iv) Application for the reflagging of which is made on or after January 1, 1997; or

(v) That has undergone—

(A) A major conversion for which the conversion contract is placed on or after April 15, 1996;

(B) In the absence of a contract, a major conversion begun on or after April 15, 1996; or

(C) A major conversion completed on or after January 1, 1997.

(2) *Existing vessel* means other than a new vessel.

(3) *Watertight* means capable of preventing the passage of water through the structure in any direction under a head of water for which the surrounding structure is designed.

(4) *Weathertight* means capable of preventing the penetration of water, even boarding seas, into the vessel in any sea condition.

(e) *Damage survival for all existing vessels except those vessels authorized to carry more than 12 passengers on an international voyage requiring a SOLAS Passenger Ship Safety Certificate.* An existing vessel is presumed to survive assumed damage if it meets the following conditions in the final stage of flooding:

* * * * *

(f) *Damage survival for all new vessels except those vessels authorized to carry more than 12 passengers on an international voyage requiring a SOLAS Passenger Ship Safety Certificate.* A new vessel is presumed to survive assumed damage if it is shown by calculations to meet the conditions set forth in paragraphs (f) (1) through (7) of this section in the final stage of flooding and to meet the conditions set forth in paragraphs (f) (8) and (9) of this section in each intermediate stage of flooding. For the purposes of establishing boundaries to determine compliance with the requirements in paragraphs (f) (1) through (9), openings that are fitted with weathertight closures and that are not submerged during any stage of flooding will not be considered downflooding points.

(1) Each vessel must have positive righting arms for a minimum range beyond the angle of equilibrium as follows:

Vessel service	Required range (degrees)
Exposed waters, oceans, or Great Lakes winter	15
Partially protected waters or Great Lakes summer	10
Protected waters	5

(2) No vessel may have any opening through which downflooding can occur within the minimum range specified by paragraph (f)(1) of this section.

(3) Each vessel must have an area under each righting-arm curve of at least 0.015 meter-radians, measured from the angle of equilibrium to the smaller of the following angles:

(i) The angle at which downflooding occurs.

(ii) The angle of vanishing stability.

(4) Except as provided by paragraph (f)(5) of this section, each vessel must have within the positive range the greater of a righting arm (GZ) equal to or greater than 0.10 meter or a GZ as calculated using the formula:

$$GZ(m) = C\left(\frac{\text{Heeling Moment}}{\Delta} + 0.04\right)$$

where—
C=1.00 for vessels on exposed waters, oceans, or Great Lakes winter;
C=0.75 for vessels on partially protected waters or Great Lakes summer;
C=0.50 for vessels on protected waters;
Δ=intact displacement; and
Heeling moment=greatest of the heeling moments as calculated in paragraphs (f)(4) (i) through (iv) of this section.

(i) The passenger heeling moment is calculated using the formula:

Passenger Heeling Moment=0.5 (n w b)
where—
n=number of passengers;
w=passenger weight = 75 kilograms; and
b=distance from the centerline of the vessel to the geometric center on one side of the centerline of the passenger deck used to leave the vessel in case of flooding.

(ii) The heeling moment due to asymmetric escape routes for passengers, if the vessel has asymmetric escape routes for passengers, is calculated assuming that—

(A) Each passenger weighs 75 kilograms;

(B) Each passenger occupies 0.25 square meter of deck area; and

(C) All passengers are distributed, on available deck areas unoccupied by permanently affixed objects, toward one side of the vessel on the decks where passengers would move to escape from the vessel in case of flooding, so that they produce the most adverse heeling moment.

(iii) The heeling moment due to the launching of survival craft is calculated assuming that—

(A) All survival craft, including davit-launched liferafts and rescue boats, fitted on the side to which the vessel heels after sustained damage, are swung out if necessary, fully loaded and ready for lowering;

(B) Persons not in the survival craft swung out and ready for lowering are distributed about the centerline of the vessel so that they do not provide additional heeling or righting moments; and

(C) Survival craft on the side of the vessel opposite that to which the vessel heels remain stowed.

(iv) The heeling moment due to wind pressure is calculated assuming that—

(A) The wind exerts a pressure of 120 Newtons per square meter;

(B) The wind acts on an area equal to the projected lateral area of the vessel above the waterline corresponding to the intact condition; and

(C) The lever arm of the wind is the vertical distance from a point at one-half the mean draft, or the center of area below the waterline, to the center of the lateral area.

(5) Each vessel whose arrangements do not generally allow port or starboard egress may be exempted, by the Commanding Officer, Marine Safety Center, from the transverse passenger heeling moment required by paragraph (f)(4)(i) of this section. Each vessel exempted must have sufficient longitudinal stability to prevent immersion of the deck edge during forward or aft egress.

(6) Each vessel must have an angle of equilibrium that does not exceed—

(i) 7 degrees for flooding of one compartment;

(ii) 12 degrees for flooding of two compartments; or

(iii) A maximum of 15 degrees for flooding of one or two compartments where—

(A) The vessel has positive righting arms for at least 20 degrees beyond the angle of equilibrium; and

(B) The vessel has an area under each righting-arm curve, when the equilibrium angle is between 7 degrees and 15 degrees, in accordance with the formula:

$$A \geq 0.0025(\theta - 1)$$

where—
A=Area required in m-rad under each righting-arm curve measured from the angle of equilibrium to the smaller of either the angle at which downflooding occurs or the angle of vanishing stability.
θ=actual angle of equilibrium in degrees

(7) The margin line of the vessel must not be submerged when the vessel is in equilibrium.

(8) Each vessel must have a maximum angle of equilibrium that does not exceed 15 degrees during intermediate stages of flooding.

(9) Each vessel must have a range of stability and a maximum righting arm during each intermediate stage of flooding as follows:

Vessel service	Required range (degrees)	Required maximum righting arm
Exposed waters, oceans, or Great Lakes winter	7	0.05 m
Partially-protected waters or Great Lakes summer	5	0.035 m
Protected waters	5	0.035 m

Only one breach in the hull and only one free surface need be assumed when meeting the requirements of this paragraph.

(g) *Damage survival for vessels authorized to carry more than 12 passengers on an international voyage requiring a SOLAS Passenger Ship Safety Certificate.* A vessel is presumed to survive assumed damage if it is shown by calculations to comply with the damage stability required for that vessel by the International Convention for the Safety of Life at Sea, 1974, as amended, chapter II–1, part B, regulation 8.

* * * * *

Dated: October 4, 1995.

J.C. Card,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 95–25711 Filed 10–16–95; 8:45 am]

BILLING CODE 4910–14–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 672

[Docket No. 950206041–5041–01; I.D. 101195B]

Groundfish of the Gulf of Alaska; Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is closing the directed fishery for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the allocation of Pacific cod for the inshore component in this area.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), October 11, 1995, until 12 midnight, A.l.t., December 31, 1995.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 907–586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.