

these requirements, significant marine casualties continue to occur. The ISM Code attempts to reduce these occurrences by recognizing that "human factors," defined as acts or omissions of personnel which adversely affect the proper functioning of a particular system, or the successful performance of a particular task, must be addressed in order to further reduce marine casualties and pollution.

The ISM Code acknowledges that the human element includes both vessel personnel and the company management infrastructure of the vessel's owner or operator. Decisions made ashore can be as important as those made at sea; and, therefore, the ISM Code seeks to ensure that every action, taken at any level within a company, is based upon sound understanding of the potential consequences on marine safety and pollution prevention. The IMO, in resolution A.647(16), cited two key elements needed to realize the objectives of the ISM Code. Those elements include a philosophical commitment to safety at the senior management level and an effective organizational infrastructure to implement and monitor a safety management program.

Under the ISM Code, a shipping company's Safety Management System must include the following functional requirements: (1) A safety and environmental protection policy; (2) instructions and procedures to ensure safe operation of ships and protection of the environment in compliance with relevant international and flag-state legislation; (3) defined levels of authority and lines of communication between, and amongst, shore and shipboard personnel; (4) procedures for reporting accidents and non-conformities with the provisions of the ISM Code; (5) procedures to prepare for and respond to emergency situations; and (6) procedures for internal audits and management reviews.

The Coast Guard may be required to promulgate implementing regulations when the ISM Code becomes mandatory. At present, U.S. certification is voluntary. Authorized classification societies currently issue Safety Management System certificates under the provisions of Navigation and Vessel Inspection Circular (NVIC) No. 2-94 (March 15, 1994). These certificates have neither force nor effect under U.S. law. They indicate only that a company and its vessels comply with the terms of the ISM Code as interpreted by NVIC 2-94, as determined by the authorized classification society. Implementing regulations would provide for Coast

Guard examination of shipping companies and ships to which the ISM Code applies to determine their compliance. The Coast Guard would authorize the issuance of certificates to companies and ships found to be in compliance. Once the ISM Code comes into effect, port states around the world will check foreign flag vessels for compliance as part calls are made.

The Coast Guard is interested in receiving comments on the potential costs and benefits of this implementation and on the issues discussed in this notice. Specifically, the Coast Guard is interested in receiving comments on methods by which the Coast Guard can ensure effective compliance with ISM Code standards, while minimizing the burden and costs to the maritime industry.

Based on discussions with industry representatives, numerous questions have arisen which, when answered, should significantly assist in implementing the ISM Code. These questions address issues such as: which entities will conduct ISM Code inspections or surveys; the applicability of the ISM certification to various U.S. vessel types; the cost and time requirements for owners of various vessel types, operating on different routes/service, to implement the ISM Code; the viability of using third parties to complete ISM Code Certification; the need for incentives for companies which own vessels in domestic trade to be ISM Code certificated; whether Safety management Systems already developed and in place will be able to meet the requirements of the ISM Code and be certificated; how long will it take to set up a ISM Safety Management System and have the company office and its vessels certificated; whether companies in domestic U.S. trade should be required to be ISM Code certificated; the effect of ISM Code certification on small companies; whether sample Safety Management Systems should be developed and made available to companies to facilitate Code implementation; and what the enforcement policy should be for companies and vessel that do not meet the deadlines for ISM Code certification.

ISM Code certification must be accomplished by July 1998, for most vessels. In light of this, these public meetings will provide an excellent opportunity for members of the maritime industry whose vessels must be certificated under the ISM Code, to address concerns and offer suggestions for Code implementation.

Dated: September 28, 1995.

Joseph J. Angelo,

Acting Chief, Office of Marine Safety, Security and Environmental Protection.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 94-64; RM-8453]

Radio Broadcasting Services; Ider, AL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal.

SUMMARY: This document dismisses a petition for rule making to allot FM Channel 254A to Ider, Alabama, as that locality's first local aural transmission service, as requested by Deborah M. Thompson (RM-8453), and supported by Sand Mountain Advertising Co., Inc. See 59 FR 34404, July 5, 1994. The proposal is denied based upon the inability of Channel 254A to comply with the requirements of Section 73.315 of the Commission's Rules to provide a 70 dBu signal over the proposed community of license. With this action, the proceeding is terminated.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 94-64, adopted September 22, 1995, and released September 29, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

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