



DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International
Regulations for Preventing Collisions at Sea, 1972

AGENCY: Department of the Navy, DoD.

ACTION: Final rule.

SUMMARY: The Department of the Navy (DoN) is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (DAJAG) (Admiralty and Maritime Law) has determined that certain vessels of the VIRGINIA SSN Class are vessels of the Navy which, due to their special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with their special function as a naval ships. The

intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

DATES: This rule is effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] and is applicable beginning June 21, 2016.

FOR FURTHER INFORMATION CONTACT: Commander Theron R. Korsak, (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave., SE, Suite 3000, Washington Navy Yard, DC 20374-5066, telephone 202-685-5040.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the DoN amends 32 CFR Part 706.

This amendment provides notice that the DAJAG (Admiralty and Maritime Law), under authority delegated by the Secretary of the Navy, has certified that certain vessels of the SSN Class are vessels of the Navy which, due to their special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with their special function as a naval ship: Annex I, paragraph 2(a)(i), pertaining to the vertical placement of the masthead light;

Annex I, paragraph 2(f)(i), pertaining to VIRGINIA class submarine masthead light location below the submarine identification lights; Annex I, paragraph 2(k), pertaining to the vertical separation of the anchor lights and vertical placement of the forward anchor light above the hull; Annex I, paragraph 3(b), pertaining to the location of the sidelights; and Rule 21(c), pertaining to the location and arc of visibility of the sternlight. The DAJAG (Admiralty and Maritime Law) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on these vessels in a manner differently from that prescribed herein will adversely affect these vessel's ability to perform their military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

For the reasons set forth in the preamble, the DoN amends part 706 of title 32 of the Code of Federal Regulations as follows:

PART 706--CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

1. The authority citation for part 706 continues to read as follows:

Authority: 33 U.S.C. 1605.

2. Section 706.2 is amended by:

a. In Table One, adding, in alpha numerical order, by vessel number, the following entries for the SSN class;

b. In Table Three, adding, in alpha numerical order, by vessel number, the following entries for the SSN class;

c. In Table Four, paragraph 25, by adding, in alpha numerical order, by vessel number, the following entries for the SSN class; and

d. In Table Four, paragraph 26, by adding, in alpha numerical order, by vessel number, the following entries for the SSN class.

\$ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

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TABLE ONE

Vessel	Number	Distance in meters of forward masthead light below minimum required height. §2(a)(i) Annex I

USS ILLINOIS	SSN 786	2.76
USS WASHINGTON	SSN 787	2.76

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TABLE THREE

Vessel	No.	Masthead lights arc of visibility; rule 21(a)	Side lights arc of visibility; rule 21(b)	Stern light arc of visibility; rule 21(c)	Side lights, distance inboard of ship's sides in meters 3(b) annex 1	Stern light, distance forward of stern in meters; rule 21(c)	Forward anchor light, height above hull in meters; 2 (K) annex 1	Anchor lights relationship of aft light to forward light in meters 2 (K) annex 1

USS ILLINOIS	SSN 786	-	-	205.0°	4.37	11.05	2.8	0.30 below
USS WASHINGTON	SSN 787	-	-	206.8°	4.37	11.05	2.8	0.30 below

TABLE FOUR

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25. * * *

Vessel	No.	Distance in meters of masthead light below the submarine identification lights

USS ILLINOIS	SSN 786	0.81
USS WASHINGTON	SSN 787	0.81

TABLE FOUR

26. * * *

Vessel	No.	Obstruction angle relative to ship's headings	
		Forward anchor light	Aft anchor light

USS ILLINOIS	SSN 786	172° to 188°	359° to 1°
USS WASHINGTON	SSN 787	172° to 188°	359° to 1°

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APPROVED: June 21, 2016

C. J. SPAIN
 Deputy Assistant Judge Advocate
 General (Admiralty and Maritime Law)
 Acting

Dated: June 23, 2016

N. A. HAGERTY-FORD,
Commander,
Judge Advocate General's Corps,
U.S. Navy,
Federal Register Liaison Officer.

