

July 17, 1978

TRUST TERRITORY OF THE PACIFIC ISLANDS
HEADQUARTERS, SAIPAN, MARIANA ISLANDS

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IN THE SPOTLIGHT

PROPOSED REGULATIONS
ADOPTED AMENDMENTS TO REGULATIONS

territorial

register

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territorial register



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The Territorial Register provides a uniform system for making available to the public regulations, rules, decisions, orders and notices issued by Territorial agencies and required to be published by Public Law 5-86, and other Territorial agency documents of public interest. It also includes proclamations, orders and directives issued by the President of the United States or the Secretary of the Interior pertaining to the Trust Territory of the Pacific Islands.

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There are no restrictions on the republication of material appearing in the Territorial Register.

PUBLIC NOTICE
PROPOSED REGULATIONS CONCERNING
USE OF TRUST TERRITORY AIRPORTS
TITLE 21, AERONAUTICS

The Director of the Bureau of Transportation and Communications in accordance with P.L. 7-35 is proposing to repeal Chapter I published in I Territorial Register No. 11, Regulations concerning Landing Fees and Parking Charges at Trust Territory Airports and the promulgation in its place of a new set of Regulations to be identified as Title 21, Chapter I, entitled "Rules and Regulations for the use of Trust Territory Civil Airports."

The proposed new Regulations include the following subjects:

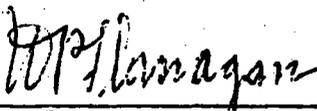
1. Motor Vehicle Regulations on Public Airport Property
2. Use of Airports, General
3. Schedule of Landing Fees and Parking Fees
4. Aircraft Traffic
5. Fueling Handling
6. Aircraft Parking
7. Helicopters
8. Conduct of the Public
9. Commercial Activities

Copies of the proposed Regulations may be obtained from the Bureau of Transportation and Communications.

The Bureau of Transportation and Communications is soliciting views, opinions, facts and data for or against the proposed Regulations from the general public.

Anyone interested in commenting on the proposed Regulations may do so by submitting comments in writing to the Bureau of Transportation and Communications, Trust Territory Headquarters, Saipan, Mariana Islands, 96950, within 30 days from the date this notice is published in the Territorial Register.

July 7, 1978
Date



William P. Flanagan, Director
Bureau of Transportation and Communications

TITLE 21
AERONAUTICS
CHAPTER 1

REGULATIONS FOR THE USE OF TRUST TERRITORY CIVIL AIRPORTS

PART 1. GENERAL PROVISIONS

- A. **AUTHORITY.** These regulations are promulgated and issued by the Director of the Bureau of Transportation and Communications pursuant to the authority granted him by Public Law 7-35.
- B. **PURPOSE.** The purpose of these regulations affecting all civil airports of the Trust Territory is to insure to the general public safe and convenient access to and use of public air travel facilities compatible with the general welfare of the people. Accordingly, these regulations are intended to harmonize and coordinate such public laws as may affect the operations, maintenance and use of airports and to promote and establish standards most conducive to the attainment of the above-mentioned purpose.
- C. **DEFINITION.** As used herein, unless the context otherwise requires, the term:
1. "Bureau" means the Bureau of Transportation and Communications.
 2. "Director" means the Director of Bureau of Transportation and Communications or his duly authorized representatives.
 3. "Airport Manager" means the person duly appointed by the Director to have immediate supervision of administration and operation of an airport.
 4. "Civil Airport" means any area of land or water under public or governmental ownership or control which is directly or indirectly used or intended for use for the landing and take-off of aircrafts as well as any area or areas used in support of or in conjunction with the landing and take-off of aircrafts. The following are the civil airports of the Trust Territory of the Pacific Islands.
Babelthuap/Koror Airport
Yap International Airport
Truk International Airport
Ponape International Airport
Marshall Islands International Airport
Kosrae International Airport - when such a facility has been established and is in existence.
5. "Airport Property" means and includes any portion of a civil airport under the jurisdiction of the Director for reasons of safety as may be established by appropriate authority concerned, for the use of existing and future expansion of the airport. It shall include but not be limited to the primary areas, clear

zones, approach zones and transitional areas as such zones and areas are designated by the Director.

6. "Airport Roadways" means any portion of a civil airport used by vehicles to, from or between the public streets which connect with such roadways and the various buildings and land areas at a civil airport abutting upon such roadways that may be used by pedestrians as a means of ingress and egress to, from and between airport and connecting sidewalks or adjoining areas.
7. "Cargo Ramp and Apron Areas" means and includes any portion of a civil airport designated temporarily or permanently by the Director for the loading and unloading of cargo, mail and supplies on or off aircraft; for the performance of operations commonly understood in the trade as being "Ramp Service" and/or, for the parking of mobile equipment when actively used in connection with such operations.
8. "Air Carrier" means and includes any person engaged in the business of carrying passengers or cargo or both by air for hire under a certificate of public convenience and necessity issued by the appropriate governmental authority.
9. "Aircraft" means and includes any and all contrivances now or hereafter used for flight in air space including but not limited to airplanes, airships, dirigibles and seaplanes.
10. "Aircraft Parking and Storage Areas" means and includes any portion of a civil airport designated temporarily or permanently by the Director for the parking and storing of aircraft for the servicing of aircraft with fuel, lubricants and other supplies and for making minor or emergency repairs to the aircraft.
11. "Controlled Airport" means any civil airport at which there is a control tower which directs the movement of aircraft within the operational area and in the air.
12. "Fuel Handling" means the transporting, delivering, sorting, fueling and draining of fuel or other petroleum products.
13. "Fuel Storage Area" means and includes any portion of a civil airport designated temporarily or permanently by the Director or the Airport Manager for the storing and loading of gasoline, turbine engine fuel, or any other type of fuel or petroleum products used for aeronautical purposes.
14. "Landing Area" means and includes any portion of a civil airport designated temporarily or permanently by the Director or Airport Manager for the landing and take-off of aircraft.
15. "Maintenance Area" means any portion of a civil airport designated temporarily or permanently by the Director or Airport Manager for the overhaul, repair and storage of aircraft.
16. "Mobile Vehicles" means any towed equipment or device, except

aircraft, by which persons or property may be transported.

17. "Motor Vehicles" means any self-propelled vehicle and includes automobiles, trucks, buses, motorcycles and other self-propelled devices, except aircraft, by which persons or property is or may be transported.
18. "NOTAM" means notices to airmen disseminated by the Director.
19. "Operational Area" means any portion of a civil airport from which the public is restricted by fences or appropriate signs and not leased or demised to anyone for exclusive use and shall include apron areas, fuel storage areas, maintenance areas and landing areas.
20. "Operator" means the owner or operator of an aircraft or any person who has rented or otherwise has the use of such aircraft for the purpose of operation by himself or his agents.
21. "Authorize" means written consent granted by the Director except that verbal consent may be granted under special circumstances where the obtaining of a written consent would not be practicable.
22. "Person" means any individual, firm, partnership, co-partnership, corporation, trust, association, company, joint venture or any other legal entity.
23. "Public Vehicular Parking" means any portion of a civil airport designated temporarily or permanently by the Director or the Airport Manager for the purpose of parking motor vehicles.
24. "Vehicles" means and includes both mobile vehicles and motor vehicles as defined herein.

PART II. MOTOR VEHICLES REGULATIONS ON PUBLIC AIRPORT PROPERTY

A. GENERAL

1. Traffic Codes and District Ordinances. The traffic codes and any other applicable ordinances as they may be amended from time to time, of the particular district in which the civil airport is located shall apply to the operation of motor vehicles on the civil airport just as though the said parking areas and roadways are part of the public streets, roads or highways of the particular district involved and by reference are hereby incorporated in these rules and regulations and made a part hereof as though fully cited herein.
2. Licensing and Safety Inspection. No motor vehicles, except aircraft servicing vehicles used exclusively within the civil airport, shall be operated in or on a civil airport unless such vehicles are currently licensed by the Bureau of Public Safety and have the required evidence of a safety inspection.

3. Operation of Motor Vehicles. No motor vehicles shall be operated in a careless or negligent manner, in disregard of the rights and safety of others, without due caution, at a speed or in a manner which endangers or is likely to endanger persons or property, while the operator thereof is under the influence of intoxicating liquor, narcotics or habit-forming drugs or, if such vehicles is so constructed, equipped, loaded or in such other condition as to endanger or likely to endanger persons or property.
4. Traffic Controls. All vehicular traffic must comply with any lawful order, notice signal or direction of any police officer.
5. Speed Limits. All motor vehicles shall be operated on a civil airport in strict compliance with speed limits perscribed and posted by the Director or the Airport Manager.
6. Buses, Limousines and Taxis. No buses, limousines, taxis or other vehicles for hire shall load or unload passengers at a civil airport at places other than those designated for such purpose by the Director, or the Airport Manager.
7. Parking. All operators of motor vehicles at a civil airport shall park their vehicles only at the places and for the duration prescribed by the Director or the Airport Manager in accordance with officially posted signs. Except as otherwise authorized by the Director or the Airport Manager no person shall stop, park, or permit to remain halted a motor vehicle in a civil airport.
 - (a) in front of a driveway,
 - (b) within a bus stop safety zone or taxi cab zone,
 - (c) on the roadway beside any stopped or parked vehicle (double parking),
 - (d) within fifteen feet of a fire hydrafft.
8. Application. These rules and regulations shall apply with equal force to motor vehicles on lease, rent or loan to any persons.

B. OPERATIONAL AREA.

1. Motor Vehicle Operator's Permit. No person shall operate a motor vehicle in any operational or restricted area without an airport motor vehicle operator's permit issued to him by the Director or Airport Manager.
2. Authorized Vehicles. A motor vehicle may enter the operational area only after it has been issued a decal or permit by the above Authorities authorizing such entry.
3. Applications. Application forms either for an airport motor vehicle operator's permit or for a decal of permit which authorizes the entry of motor vehicles into operational area may be obtained at the Office of the Airport Manager. Such application forms shall be accompanied by such fees as may be perscribed by the Director;

which fee shall be sufficient to cover the reasonable cost of processing such application.

4. Limitations. The Director may limit the use of any motor vehicle in the operational area to a specified portion thereon.
5. Vehicles Around Aircraft. When an aircraft is parked in the operational area at a loading position, the space between the aircraft and terminal building shall not be used by vehicles except that motor vehicles necessary for servicing parked aircraft may use such space.
6. Priorities. Except for emergency motor vehicles, the operators of taxiing aircraft shall have first priority of movement over all other vehicular traffic in the operational area. The operators of towed aircraft shall have second priority.
7. Entrance and Exit. Motor vehicle operators shall use only designated entrances or exits to enter or leave the operational area.
8. Speed limits. Unless authorized by the Director or the Airport Manager, no person in the operational area shall operate a motor vehicle at a speed:
 - (a) more than ten(10) miles an hour on any apron or ramp;
 - (b) more than twenty-five(25) miles an hour on any taxiway or other aircraft movement area other than apron and ramps; or,
 - (c) in excess of the speed limit prescribed and posted by the Bureau for any part of the operational area not covered by (a) and (b).

PART III.

A. USE OF AIRPORTS, GENERAL

1. Aircraft Operations. Any person navigating any aircraft in the air space above or in the vicinity of land and any person taxiing or flying aircraft or conducting any aircraft operation upon or from civil airports must act, and in all respects be, in strict compliance with International Standards, Rules of the Air, Annex (2) to the Convention on International Civil Aviation. No experimental flight or ground demonstration shall be conducted on above or in the vicinity of a civil airport without the written permission of the Director.
2. Airport Air Traffic Rules. All aircraft operations shall comply with established traffic patterns, including noise abatement procedures, for each district civil airports as may be published by the Department.
3. Radio Equipment. No person shall operate any aircraft to, from or on the civil airport if such aircraft is not equipped with an

operable two-way radio capable of communicating with the airport flight information service station on such frequencies as may now be in use or hereafter established for such use.

4. Clearing Runway. The operators of aircraft landing at a civil airport shall make the landing area available to other aircraft by clearing their aircraft from the active runway as expeditiously as possible.
5. Unsafe Landing Area. The use of unsafe landing areas is prohibited for all aircraft operation. Such areas shall be marked when practical with appropriate obstruction or hazard markings.
6. Maintenance of Aircraft. Washing, cleaning and maintenance of aircraft shall be undertaken only in areas designated for these purposes by the Director or the Airport Manager.
7. Abandoned or Unattended Aircraft. If any aircraft is parked or left unattended in an unauthorized area at a civil airport and if the operator of such aircraft cannot be reasonably contacted, the subject aircraft may be removed and stored by the Airport Manager at the operator's risk and expense and the Airport Manager will not be liable for any damage resulting from the moving and storing of the subject aircraft. Thirty(30) days after such removal and storage, the Airport Manager will notify the Director for instruction regarding the disposal of the aircraft. The Director may instruct that the aircraft be disposed of by public sale or private sale, provided that there is a reasonable publication of notice of such sale and that any such sale is conducted in accordance with applicable law. Proceeds of the sale shall first be applied to all charges and fees arriving in connection with such aircraft and owing to the Bureau or the district government. Any balance shall revert to the airport trust account created under Sec. 12 of PL 7-35.
8. Removal of Aircraft. The operator of any aircraft parked or stored at a civil airport shall move said aircraft from the place where it is parked or stored to any other designated place upon the order of the Director or the Airport Manager. If the operator refuses to comply with the Director's or the Airport Manager's order, the Director or the Airport Manager may have or cause the subject aircraft to be moved to another designated place at the operator's risk and expense and the Director or the Airport Manager will not be liable for any damage which may result from moving the subject aircraft.
9. Aircraft Accident. No person shall disturb or move any items of aircraft wreckage or records therefrom unless permission is granted by the Director except where necessary:
 - (a) to give aid and assistance to persons injured or trapped in aircraft wreckage;
 - (b) to protect such wreckage or records therefrom from further

damage;

(c) to protect the public from injury or death.

10. Disabled Aircraft. Aircraft operators shall be responsible for the prompt removal of disabled aircraft and parts thereof unless directed to do otherwise by the Director other Governmental officials having authority to delay such removal pending an investigation of the accident. The removal of the disabled aircraft shall be under the supervision of the Director and conducted in compliance with the Director's instruction. The Director may remove the disabled aircraft and store same at the operator's risk and expense at any location and the Director will not be liable for any damages which may result from such removal or storage.
11. Accident Reports.
 - (a) The operator of any aircraft involved in an accident occurring on or within a civil airport and all persons involved in such accidents shall make reports thereof and give their names and addresses to the Director as soon after the accident as possible.
 - (b) In the event a written report of the accident is required by international regulations, a copy of that report may be substituted in place of the one required in Item (a) of this subsection.
12. Director's Power to Restrict Aircraft Operations. The Director may close any airport or any portion thereof at any time he deems such action is necessary in the interest of safety to persons or property. The Director may prohibit or delay landings, take-offs and any other movement of aircraft at any time he deems such action is necessary in the interest of safety to persons or property. Notice and details of such action will be publicized through the issuance of appropriate NOTAMS. Additionally, the Director may deny the use of a civil airport to any aircraft operator or pilot who is violating or has violated the laws or regulations of the Trust Territory.
13. No Smoking. No person shall smoke or carry a lighted cigarette, cigar, pipe, match or any flame on or upon the operational area.
14. Non-payment of Airport Charges. The Director may refuse clearance for the departure from civil airports of any aircraft if the registered owner of such aircraft has not arranged for payment of all charges that may have been incurred by or on behalf of said aircraft or owner and which are then due and payable to the Director.

B. SCHEDULE OF LANDING FEES AND PARKING FEES.

1. Landing fees. Landing fees will be charged on all aircraft operators on all arrivals of aircraft at a rate equal to \$0.60 per 1000 pounds of the maximum gross allowable landing weight of the aircraft. Minimum charge shall be \$5.00 per landing. All

aircraft shall pay this landing fee with the following exceptions.

Exception 1. Aircraft owned and/or operated by the Trust Territory Government, U. S. Military aircraft, aircraft belonging to any bona fide agency of the U. S. Government, foreign Diplomatic aircraft, aircraft returning after take-off for emergency reasons and aircraft conducting emergency and medical evacuation on behalf of the Trust Territory Government at no cost to the Government are hereby exempted from payment of landing fees.

Exception 2. A scheduled air carrier serving more than three districts shall pay a rate of charge on all landings equal to \$0.10 ten cents (10¢) per 1000 pounds of the maximum gross landing weight. Minimum charge shall be \$2.50.

Except for those operators who have credit arrangements with the Director in connection with payment of landing fees all payment of landing fees shall be made by the pilot to the Airport Manager prior to the departure of each flight.

The Airport Manager shall deposit all collected landing fees with the District Finance officer for crediting to the District Airport trust account created under Sec. 12 of PL 7-35.

2. Parking Fees. Facilities and Services. Rates for parking fees at all Trust Territory Airports shall be as follows:

a. Commercial aircraft with maximum landing weight of 6,000 lbs. or less:

Per day	\$ 1.00
Per week	\$ 5.00
Per month	\$ 15.00

b. Non-Commercial aircraft with maximum landing weight of 6,000 lbs. or less:

Per day	No charge
Per week	\$ 5.00
Per month	\$10.00

c. Commercial and One-Commercial aircraft with maximum landing weight of over 6,000 lbs.

Per day	\$.15 per 1000 lbs.	Minimum (\$1)
Per week	\$.70 per 1000 lbs.	Minimum (\$5)
Per month	\$2.50 per 1000 lbs.	

3. Application of Charges. Daily rates apply to all aircraft stored or parked in excess of six hours on the ramp or any other designated area, except those aircraft hangared or parked on property under lease or rental agreement. The weekly rate is determined on a calendar basis and applies when the total of

daily rates equals or exceeds the weekly rate. The monthly rate is also determined on a calendar basis and applies when total weekly rates equal or exceeds the monthly rate.

C. AIRCRAFT TRAFFIC

1. Starting Engine. The engine or engines of an aircraft shall be started or warmed up only by qualified persons and only at places designated for such purpose by the Director.
2. Taxiing in Hangars. No aircraft shall be taxied into or out of a hangar under its own power.
3. Taxiing and Moving Aircraft. Any aircraft being taxied or towed or otherwise moved must be under full control at all times and must move or be moved at a safe and reasonable speed. The person attending the controls of such aircraft must be in contact at all times with the control personnel who are responsible for the taxiing, towing and other movement of aircraft. In the event an operative radio is not available in the aircraft, or the vehicle used in moving it, the person responsible for moving the aircraft shall first contact the Airport Manager for complete moving instructions.

D. FUELING HANDLING

1. Hoses and Connections. Fueling or de-fueling shall be achieved through hoses and connections meeting the standards of the TTPI Department of Public Safety.
2. Grounding. During all fuel handling operations the aircraft and fuel dispensing apparatus must be satisfactorily grounded to prevent static ignition of volatile liquids.
3. Distance. Aircraft fuel handling shall be conducted at least fifty(50) feet away from any hangar or building.
4. Fire Extinguishers. During fuel handling operations involving any aircraft regardless of its size or number of engines, at least two carbon dioxide fire extinguishers of at least fifteen(15) pounds shall be ready and available for immediate use. However, the fueling of single engine aircraft requires the presence of only one such fire extinguisher.
5. Spark Prevention. During fuel handling for or relating to any aircraft, no person shall operate any radio transmitter or receiver in such aircraft or switch electrical appliances on or off in such aircraft other than necessary fuel transfer pumps. Nor shall any person within fifty(50) feet of such aircraft do any act or use material which may or is likely to cause sparks. However, during fuel handling of turbine-powered aircraft the use of certain radio and electrical-devices is permissible if authorized by the Director.

6. Passengers. Passengers are not to be permitted to remain on the aircraft being fueled unless:
 - (a) The cabin exit door is opened;
 - (b) a cabin attendant is at such door; or
 - (c) a passenger ramp or other safety devices designed to assure rapid debarkation of passengers is in position at the cabin exit door.
7. Personnel. Only personnel engaged in fuel handling or in the maintenance and servicing of the aircraft being fueled are permitted within fifty(50) feet of the fuel tank of such aircraft during fuel handling.
8. Smoking. Smoking is prohibited in or within fifty(50) feet of any aircraft during fuel handling.
9. Dump Valve Testing. Aircraft dump valves shall be tested only in the areas designated for this purpose by the Director.
10. Overflow or Spillage. Persons engaged in aircraft fueling shall exercise dilligence and care to prevent overflow or spillage of fuel and generally avoid creating any combustion hazard. Should spillage occur it shall be the operator's responsibility to remove or neutralize the volatile liquid immediately.
11. Aircraft Engines. The engines of the aircraft involved in any fueling operation as well as the engines of any aircraft within fifty(50) feet of the fuel handling process shall not be started until the completion of the fueling operation.
12. Electrical Storm. All fueling operations shall be conducted with caution during an electrical storm. In the event of an electrical storm causing or likely to cause severe disturbance as determined by the Director, all fueling operations shall cease and be suspended until the storm subsides.
13. Fire-Aircraft Crash. In the event of either a fire or an aircraft crash no fueling operation shall be conducted in the vicinity of such fire or crash. The Director, Fire Chief or his designee, shall determine the distances from such fire or crash beyond which fueling operation may be conducted.
14. Supplementary Directives. The Director may issue directives or instructions regarding operating procedures necessary to implement the full spirit and intent of the foregoing rules and regulations.

E. AIRCRAFT PARKING

1. Parked Aircraft. The Operator of an aircraft shall park the aircraft only in areas designated for such purposes by the Director or the Airport Manager. The main landing wheels of every parked aircraft shall be chocked with blocks or other approved devices and the brakes set except in cases where other procedures are approved by the Director.

2. Ramp and Apron Area. Except in an emergency no aircraft shall remain on the passenger ramp and apron for more than fifteen (15) minutes after all normal loading, unloading and ramp service has been completed and departure clearance has been issued.
3. Lights. Aircraft parked in either a passenger ramp and apron area or cargo ramp and apron area shall have running lights or acceptable hazard lights turned on during the hours between sunset and sunrise and at such other times as may be required by the Director.

F. HELICOPTERS

1. Operators. Only helicopter pilots certificated by the Trust Territory of the Pacific Islands Government, United States, Federal Aviation Administration and appropriate authorities of ICAO member states, shall be authorized to conduct helicopter taxiing operations at a civil airport.
2. Taxiing. The operators of helicopters shall not taxi, tow or otherwise move same unless there is a clear area at least fifty (50) feet from the outer tips of each rotor.
3. Parking. Helicopters shall have braking devices or rotor mooring blocks applied to the rotor blades.
4. Motorless Aircraft. Except in an emergency, motorless aircraft such as gliders, sail planes, etc. may not land or take-off at a civil airport without first obtaining permission from the Director or Airport Manager.

PART IV. CONDUCT OF THE PUBLIC

1. Obstruction of Public Use. No person shall travel on any portion of a civil airport except upon the roads, walkways or places provided for that particular class of traffic nor shall any person occupy the roads or walks in such a manner as to hinder or obstruct their proper use.
2. Restricted Areas. Except for persons assigned to duty therein, no person shall enter any restricted areas of a civil airport without permission.
3. Entrance to Operational Areas. The operational areas are closed to the Public. No tenant, either corporate or personal, shall permit any unauthorized person to enter any ramp either by private or common use passageways or through private areas. No person shall enter upon the runway, ramp and apron area or cargo ramp and apron area without authorization except those entering upon the public ramp areas for purpose of embarkation or debarkation.
4. Disorderly Conduct. Any person who commits any disorderly or obscene act at a civil airport may be barred from such airport

by the Director or his duly authorized representative.

5. Preservation of Property. At a civil airport no person shall:
 - (a) destroy, injure, deface or disturb in any manner any buildings, signs, furniture, equipment, markers, trees, flowers, lawn or other structures of property;
 - (b) walk or operate a vehicle on lawns and seeded areas; or,
 - (c) abandon any personal property.
6. Waste Articles. No person shall discard any paper, cigar, cigarette, bottle or any waste or refuse material on the grounds of a civil airport except in receptacles provided for such purposes.
7. Loitering. No person shall loiter in or about a civil airport.
8. Gambling. No person shall gamble or conduct gambling devices at any civil airports.
9. Explosives. No person shall store, keep, handle, use, dispense or transport any explosive or other dangerous articles which are barred from civil aircraft by International Civil Air Regulations within the airport property.
10. Lost and Found Articles. Any persons finding lost or misplaced articles at an air terminal shall turn same over to the Airport Manager. Articles unclaimed by the owner within (90) days after it was found will be disposed of as prescribed by district ordinances. Nothing in this section will be construed to deny the right of air carriers to maintain lost and found services for its passengers.
11. Director's Power. The Director shall at all times have authority to take any action deemed by him convenient or necessary to protect or safeguard persons and/or property.

PART V. COMMERCIAL ACTIVITIES.

1. General. No person shall engage in any business or commercial activities in or at a civil airport without the permission of the Director except those commercial activities already in existence through agreements, contracts and licenses issued by the District Administrator.

PART VI. EFFECTIVE DATE

1. These regulations shall repeal and supercede Trust Territory Landing Fees and Parking Charges at Trust Territory Airport Regulations (Chapter 1, published in 1 Territorial Register No. 11), and shall become effective ten (10) days after publication in the Territorial Register.

PUBLIC NOTICE
PROPOSED TRUST TERRITORY REGULATIONS
CONCERNING LABOR
TITLE 49

The Chief of the Labor Division of the Bureau of Resources as authorized by Title 49 Section 13 is proposing to repeal Release No. 8-73 as published in 1 Territorial Register No. 6, and the promulgation in its place of a new set of Regulations.

The proposed new Regulations include the following subjects:

1. Procedural Requirements for Employment
2. Importation of Nonresident Workers
3. Filing Procedure
4. Physical Examination Requirements
5. Transfer of Workers
6. Termination of Nonresident Workers
7. Records
8. Transportation and Housing for Workers
9. Minimum Conditions of Employment

Copies of the proposed Regulations may be obtained from the Division of Labor or viewed at the Office of the District Administrators.

The Chief of Labor Division is soliciting views, opinions, facts and data for or against the proposed Regulations from the general public.

Anyone interested in commenting on the proposed Regulation may do so by submitting comments in writing to the Division of Labor, Bureau of Resources, Trust Territory Headquarters, Saipan, Mariana Islands, 96950, within 30 days from the date this notice is published in the Territorial Register.

7/6/78

Date

Charles W. Garrett

Charles W. Garrett
Chief, Labor Division

PUBLIC NOTICE
PROPOSED TRUST TERRITORY REGULATIONS
CONCERNING SOLID WASTE
TITLE 63, CHAPTER 13
SUBCHAPTER VI

The Trust Territory Environmental Protection Board is proposing to promulgate a set of regulations to be identified as Title 63, Chapter 13, Subchapter VI, entitled T.T. Regulations Concerning Solid Waste.

The purpose of the proposed new Regulations are to:

- (1) Establish an effective set of guidelines and standards concerning the storage, collection and disposal of solid waste; and,
- (2) Establish a permitting system for the operation of sanitary landfills.

Copies of the proposed Regulations may be obtained from the Trust Territory Environmental Protection Board, or the Office of the District Administrator.

The Trust Territory Environmental Protection Board is soliciting views, opinions, facts, and data for or against the proposed Regulations from the general public.

Anyone interested in commenting on the proposed Regulations may do so by submitting comments in writing to the Trust Territory Environmental Protection Board, Headquarters, Saipan, Mariana Islands, within thirty (30) days from the date this notice is published in the Territorial Register.

June 5, 1978

DATE

Masao Kumagai

Masao Kumagai, M.O., Chairman
Trust Territory Environmental
Protection Board

PUBLIC NOTICE
PROPOSED TRUST TERRITORY
REGULATIONS CONCERNING MARINE AND
FRESH WATER QUALITY STANDARDS
TITLE 63, CHAPTER 13
SUBCHAPTER VII

The Trust Territory Environmental Protection Board is proposing to repeal Release No. 17-73, published in 1 Territorial Register No. 8, concerning Standards of Water Quality for the Waters of the Trust Territory of the Pacific Islands and the promulgation in its place of a new set of Regulations to be identified as Title 63, Chapter 13, Subchapter VII entitled T.T. Regulations Concerning Marine and Fresh Water Quality Standards.

The purposes of the proposed new Regulations are to:

- (1) Establish an effective set of guidelines and standards concerning the control or elimination of pollutants into the marine and fresh waters;
- (2) Establish a permitting system for the discharge of pollutants into the waters of the Trust Territory; and,
- (3) Establish a use classification for the marine and fresh waters of the Trust Territory.

Copies of the proposed Regulation may be obtained from the Trust Territory Environmental Protection Board, or the Office of the District Administrator.

The Trust Territory Environmental Protection Board is soliciting views, opinions, facts, and data for or against the proposed Regulations from the general public.

Anyone interested in commenting on the proposed Regulations may do so by submitting comments in writing to the Trust Territory Environmental Protection Board, Headquarters, Saipan, Mariana Islands, within thirty (30) days from the date this notice is published in the Territorial Register.

July 3, 1978
DATE

for Masao Kumagai
Masao Kumagai, M.O., Chairman
Trust Territory Environmental
Protection Board

ADOPTED AMENDMENTS TO REGULATIONS

Title 61, Public Employment
Chapter 1

9.3 Reduction-in-Force. Through reduction-in-force procedures, the services of an employee may be terminated because of lack of work or funds, but not for disciplinary reasons. Managers should exhaust all administrative alternatives to place employees through transfer to vacant positions without loss of class or pay before reduction-in-force procedures are instituted. When it becomes evident that reduction-in-force procedures must be applied, the Bureau Director or District Administrator concerned, at least 60 days in advance, shall provide to the Servicing Personnel Officer notice of RIF action requirement. The Servicing Personnel Officer shall then institute administrative procedures to assure that all legitimate possibilities for reassignment have been exhausted and that formal reduction-in-force is the only remaining alternative.

- a. Competitive Areas. For all positions and all pay levels, each district and Headquarters is by itself a competitive area for reduction-in-force purpose.
- b. Retention Registers. Each Servicing Personnel Office shall establish and maintain a retention register upon which is entered the name and requisite information of each Public Service System permanent employee within its administrative area.

Individual merit, including qualifications for the position, education, training, experience, and performance rating shall be the primary basis for establishing retention registers and order of layoffs. Performance evaluations which include consideration of an employee's qualifications, education, training, experience, and performance shall be the major determinant for layoff. Seniority based on total creditable service shall also be considered when employees of equal qualification are affected. Creditable service for retention register purposes shall be as defined and published by the Director of Personnel.

When reduction-in-force procedures must be applied, the Servicing Personnel Office shall prepare a specific retention register for each competitive level.

- c. Competitive Levels. A competitive level is normally comprised of all the positions in the position class of the position which is being abolished or otherwise vacated by reduction-in-force. The Director of Personnel may define a competitive level as including more than one position class if sufficiently closely related, provided all positions included have the same or closely related duties, have essentially the same qualifications, and are in the same class and pay level; and provided further, such combination of classes shall be published as part of the RIF Procedures by the Director of Personnel.

Where selective placement factor or legal requirement has been applied in filling a position, the competitive level shall be restricted to those positions in the position class within the competitive level which meet the legal requirement or the selective placement factor.

- d. Retention Standing. Each competitive level retention register must list at the top of the register, in descending duration order of service as reflected by service computation date, all those employees currently holding an "Exceptional" performance evaluation; following, in descending order of service computation date, all those employees with a "Satisfactory" performance evaluation; and, at the bottom of the list, in descending order of service computation date, those employees with a "Less than Satisfactory" performance evaluation.
- e. Competition Within a Competitive Level. When a position is the subject of a reduction-in-force procedure, the incumbent shall displace the employee with the lowest retention standing in the competitive level.
- f. Bumping Rights. If an employee who is to be laid off does not have sufficient retention standing in the competitive level to displace another employee, he may request the Servicing Personnel Officer to review the status of employees serving in the same competitive area in the lower classes of the same related field. If an other-than-permanent employee is found serving in such a lower class, the position shall be offered to the permanent employee; if the offer is accepted, the other-than-permanent employee shall be terminated.
- g. Order of Terminations. The order of terminations shall be as follows:
 - (1) Persons occupying positions under emergency appointment, limited-term appointment, and probationary appointment in a competitive level shall be terminated in that progressive order, before RIF competition is instituted.
 - (2) The employee with the lowest performance evaluation and the most recent service computation date has the lowest retention standing and shall be the first released.
- h. Reduction-in-Force Notice. When the determination to abolish a position is made and all efforts to place the affected employee in another position within his competitive area have failed, the Servicing Personnel Officer

shall inform the employee, in writing, that he is subject to reduction and that his services shall be terminated on the date specified. The Servicing Personnel Officer's letter shall be dispatched at least 30 days prior to the effective date of termination and shall inform the employee his name is being placed on the reemployment list. The employee shall sign and date a copy of the letter to acknowledge receipt and return it to the Servicing Personnel Office.

- i. Reemployment List. Permanent employees terminated because of reduction-in force shall be placed on the reemployment list for the competitive level for a period of three years.
- j. Effective date. These regulations shall repeal and supercede Trust Territory Reduction-in-Force Regulations published in 1 Territorial Register No. 9, and shall become effective ten (10) days after publication in the Territorial Register as adopted amendments to regulations (17 TTC 5(2)).