

Coast Guard, DOT

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(b) The capacity to receive and store a volume of dirty ballast water equivalent to 30 percent of the deadweight, less the segregated ballast volume, of the vessel for which the exemption is being requested.

§ 157.306 Granting, denying, or modifying an exemption.

(a) The Assistant Commandant for Marine Safety and Environmental Protection issues a written decision concerning the grant or denial of each exemption or modification requested under § 157.302.

(b) If the exemption or request for modification is denied, the decision under paragraph (a) of this section includes the reasons for the denial.

(c) Any person directly affected by, and not satisfied with, a decision made under paragraph (a) of this section may appeal that decision, in writing, to the Commandant (G-MOC), U.S. Coast Guard, Washington, DC 20593-0001. The appeal may contain any supporting documentation or evidence that the appellant wishes to have considered.

(d) The Commandant, U.S. Coast Guard issues a ruling after reviewing the appeal submitted under paragraph (c) of this section. This ruling is final agency action.

[CGD 79-126.46 FR 3513, Jan. 15, 1981, as amended by CGD 88-052, 53 FR 25122, July 1, 1988; CGD 96-026, 61 FR 33668, June 28, 1996; CGD 97-023, 62 FR 33364, June 19, 1997]

§ 157.308 Revocation of exemption: procedure and appeals.

(a) The Officer in Charge, Marine Inspection may consider the revocation of the exemption granted under this subpart when:

- (1) Requested by the vessel's owner;
- (2) There is evidence that the vessel's owner, operator, or master has failed to comply with the requirements of this subpart; or
- (3) There have been changes to the NPDES permit of a reception facility listed to meet § 157.304(b)(3) that would adversely affect the ability of that facility to process the vessel's discharges.

(b) The Officer in Charge, Marine Inspection, of the zone in which an occurrence under paragraph (a)(2) or (a)(3) of this section takes place notifies the

owner, operator, and master of the exempted vessel of the specific reasons for considering the revocation of the exemption.

(c) Evidence or arguments for the retention of the exemption that are submitted to the Officer in Charge, Marine Inspection within thirty days of receipt of the notice under paragraph (b) of this section will be considered before a ruling is made.

(d) If the owner is not satisfied with the ruling made under this section by the Officer in Charge, Marine Inspection, that ruling may be appealed under the procedure in § 157.06 of this part.

§ 157.310 Exempted vessels: operations.

The owner, operator, and master of each vessel that has been granted an exemption under this subpart must ensure that:

(a) The vessel trades only between ports or places within the United States, its territories or possessions;

(b) The vessel loads cargo only at ports or places listed in the exemption;

(c) Except as allowed under § 157.41 (a) and (b) of this part, any ballast water, except segregated ballast discharged in accordance with § 157.43(b) of this part, and any tank washing or cargo residues are:

- (1) Retained on board; or
- (2) Transferred to a shore-based reception facility that is listed in the application for exemption, or in the case of an emergency or a shipyard entry, an alternative acceptable to the cognizant Officer in Charge, Marine Inspection;

(d) The vessel loads only those cargoes listed in the exemption; and

(e) The letter under § 157.306 that grants the exemption is on board the vessel; or

(f) The certificate of inspection bearing the following endorsement is on board the vessel:

Exempted under 33 CFR 157.306 from the requirements of (33 CFR 157.10a or 157.10c, whichever is appropriate, will be inserted). This vessel may not discharge cargo in any foreign port, nor may it load cargo in a port other than the following: (a list of ports contained in the application that is accepted by the Coast

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Guard for the exempted vessel will be inserted here).

[CGD 79-126, 46 FR 3513, Jan. 15, 1981, as amended by CGD 82-28, 50 FR 11630, Mar. 22, 1985]

Subpart G—Interim Measures for Certain Tank Vessels Without Double Hulls Carrying Petroleum Oils

SOURCE: CGD 91-045, 59 FR 40188, Aug. 5, 1994, unless otherwise noted.

§ 157.400 Purpose and applicability.

(a) The purpose of this subpart is to establish mandatory safety and operational requirements to reduce environmental damage resulting from petroleum oil spills.

(b) This subpart applies to each tank vessel specified in §157.01 of this part that—

- (1) Is 5,000 gross tons or more;
- (2) Carries petroleum oil in bulk as cargo or cargo residue; and
- (3) Is not equipped with a double hull meeting §157.10d of this part, or an equivalent to the requirements of §157.10d, but required to be equipped with a double hull at a date set forth in 46 U.S.C. 3703a (b)(3) and (c)(3).

[CGD 91-045, 61 FR 39788, July 30, 1996]

§ 157.410 Emergency lightering requirements for oil tankers.

Each oil tanker, to which this subpart applies, shall carry the equipment listed in paragraphs (a), (b), and (c) of this section. This equipment shall be located on the main deck, in the cargo control room, in the pump room, or in the forecandle locker. This equipment must be protected from the weather and must be stored in one separate and marked location which is as convenient to the cargo manifold, as is practicable.

(a) Reducers, adapters, bolts, washers, nuts, and gaskets to allow at least two simultaneous transfer connections to be made from the vessel's cargo manifold to 15-centimeter (6-inch), 20-centimeter (8-inch), and 25-centimeter (10-inch) cargo hoses. All reducers must be permanently marked with sizes.

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(b) One extra set of adapters, bolts, washers, nuts, and gaskets per reducer set must be carried as spares.

(c) Reducers, bolts, and gaskets must meet the requirements of 46 CFR 56.25. Cast iron and malleable iron must not be used.

[CGD 91-045, 59 FR 40188, Aug. 5, 1994, as amended by CGD 91-045, 61 FR 39789, July 30, 1996; USCG-1998-3799, 63 FR 35531, June 30, 1998]

§ 157.415 Bridge resource management policy and procedures.

(a) Not later than February 1, 1997, a tankship owner or operator shall provide written policy and procedures to masters and officers in charge of the navigational watch concerning the need for continuously reassessing how bridge-watch resources are being allocated and used, based on bridge resource management principles. This written policy and procedures must include vessel and crew specific examples that address the following:

(1) The number of qualified individuals that should be on watch to ensure that all duties can be performed effectively.

(2) The appropriate qualifications of all members of the navigational watch, the importance of confirming that all members of the watch are fit for duty, and the need to ensure that all members of the navigational watch are not impaired by fatigue.

(3) The need to take into account any known limitation in qualifications or fitness of individuals when making navigational and operational decisions.

(4) The need to be clear and unambiguous in assigning duties and the need to establish that the individual understands his or her responsibilities.

(5) The need to perform tasks in a clear order of priority and to adjust the priority of tasks as circumstances may require.

(6) The importance of assigning and reassigning members of the watch to locations where they can perform their duties most effectively.

(7) Conditions that warrant task reassignment among members of the watch.

(8) The instruments and equipment necessary for the effective performance of each task and appropriate actions if