

§ 157.39

(3) The oil layer is high enough in the tank so that it will not be discharged.

(The information collection requirement contained in paragraph (d) of this section was approved by the Office of Management and Budget under OMB control number 2115-0518)

[CGD 74-32, 40 FR 48283, Oct. 14, 1975, as amended by CGD 76-088b, 48 FR 45721, Oct. 6, 1983]

§ 157.39 Machinery space bilges.

(a) A tank vessel may discharge an oily mixture from a machinery space bilge that is combined with an oil cargo mixture if the vessel discharges in compliance with §157.37.

(b) A tank vessel may discharge an oily mixture from a machinery space bilge that is not combined with an oil cargo mixture if the vessel:

- (1) Is more than 12 nautical miles from the nearest land;
- (2) Is proceeding en route;
- (3) Is discharging an effluent with an oil content of less than 100 parts per million; and
- (4) Has in operation an oil discharge monitoring and control system approved by the Coast Guard (specification regulation to be proposed) and oil water separating equipment approved by the Coast Guard (specification regulation to be proposed).

§ 157.41 Emergencies.

Sections 157.27, 157.29, 157.37, and 157.39 do not apply to a tank vessel that discharges into the sea oil or oily mixtures:

(a) For the purpose of securing the safety of the vessel or for saving life at sea; or

(b) As a result of damage to the vessel or its equipment if:

- (1) Reasonable precautions are taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimizing the discharge; and
- (2) The owner, master or person in charge did not intend to cause damage, or did not act recklessly and with knowledge that damage of the environment would probably result.

33 CFR Ch. I (7-1-01 Edition)

§ 157.43 Discharges of clean and segregated ballast: Seagoing tank vessels of 150 gross tons or more.

(a) Clean ballast may not be discharged overboard unless the discharge is verified as clean ballast through use of an approved cargo monitor or, if discharged before the required cargo monitor installation date, by visual examination of the ballast contents immediately before discharge. This paragraph applies to discharges of clean ballast:

- (1) From dedicated clean ballast tanks; and
- (2) Into the navigable waters of the United States from any other tank.

(b) Segregated ballast may not be discharged overboard unless a visual examination, or a test of the ballast contents with an oil/water interface detector, immediately before the discharge shows that there is no oil mixture in the ballast. Use of a cargo monitor is not required. This paragraph applies to discharges of segregated ballast:

- (1) Into the navigable waters of the United States; and
- (2) Below the waterline at sea from an existing vessel that does not have an above the waterline discharge point for segregated ballast.

(c) All discharges of clean ballast and segregated ballast must be through an above waterline discharge point described in §157.11(b)(2), except that:

- (1) A vessel may discharge clean ballast and segregated ballast below the waterline when in port or at an off-shore terminal.
- (2) A vessel may discharge clean ballast and segregated ballast at sea by gravity below the waterline.
- (3) An existing vessel that does not have above waterline discharge points for dedicated clean ballast tanks may discharge clean ballast from those tanks below the waterline at sea.
- (4) An existing vessel that does not have above waterline discharge points for segregated ballast tanks may discharge segregated ballast below the waterline at sea.

(d) This section applies only to seagoing tank vessels of 150 gross tons or more.

[CGD 76-088b, 48 FR 45721, Oct. 6, 1983; 48 FR 46985, Oct. 17, 1983]