

Coast Guard, DOT

§ 155.140

fitted in a tank vessel as an alternative to the required overfill device(s) that are specified in these parts if the proposed alternative device is at least as effective as that required in the regulations.

[CGD 75-124a, 48 FR 45714, Oct. 6, 1983, as amended by CGD 90-071a, 59 FR 53290, Oct. 21, 1994]

§ 155.130 Exemptions.

(a) The Commandant grants an exemption or partial exemption from compliance with any requirement in this part if:

(1) A ship operator submits a written request for an exemption via the COTP or OCMI thirty (30) days before operations under the exemption are proposed unless the COTP or OCMI authorizes a shorter time; and

(2) It is determined from the request that:

(i) Compliance with a specific requirement is economically or physically impractical;

(ii) No alternative procedures, methods, or equipment standards exist that would provide an equivalent level of protection from pollution; and

(iii) The likelihood of discharges occurring as a result of the exemption is minimal.

(b) If requested, the applicant must submit any appropriate information, including an environmental and economic assessment of the effects of and the reasons for the exemption and proposed procedures, methods, or equipment standards.

(c) The exemption may specify the procedures, methods, or equipment standards that will apply.

(d) An oceangoing ship is not given an exemption from the requirements of subpart B of this part unless the ship is a hydrofoil, air cushion vehicle or other new type of ship (near-surface craft, submarine craft, etc.) whose constructional features are such as to render the application of any of the provisions of subpart B relating to construction and equipment unreasonable or impractical. The construction and equipment of the ship must provide protection equivalent to that afforded by subpart B of this part against pollution, having regard to the service for which the ship is intended.

(e) An exemption is granted or denied in writing. The decision of the Commandant is a final agency action.

[CGD 75-124a, 48 FR 45714, Oct. 6, 1983, as amended by CGD 86-034, 55 FR 36254, Sept. 4, 1990]

§ 155.140 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC, and at the U.S. Coast Guard Office of Compliance (G-MOC), 2100 Second Street SW., Washington, 20593-0001, and is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part, and the sections affected, are as follows:

American National Standards Institute, Inc. (ANSI) 11 West 42nd Street, New York, NY 10036

ANSI A10.14—Requirements 155.230
for Safety Belts, Harnesses,
Lanyards and Lifelines for
Construction and Demolition
Use, 1991.

American Society for Testing and Materials (ASTM) 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959

ASTM F 631-93, Standard Appendix B.
Guide for Collecting Skimmer
Performance Data in
Controlled Environments.

ASTM F 715-95, Standard Test Appendix B.
Methods for Coated Fabrics
Used for Oil Spill Control
and Storage.

ASTM F 722-82 (1993), Stand- Appendix A;
ard Specification for Welded Appendix
Joints for Shipboard Piping B.
Systems.

International Maritime Organization (IMO) Publications Section, 4 Albert Embankment, London SE1 75R, United Kingdom, Telex 23588.

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33 CFR Ch. I (7-1-02 Edition)

Resolution A.535(13), Rec- 155.235
ommendations on Emer-
gency Towing Requirements
for Tankers, November 17,
1983.

Resolution MSC.35(63), Adop- 155.235
tion of Guidelines for Emer-
gency Towing Arrangement
on Tankers, May 20, 1994.

*Oil Companies International Marine
Forum (OCIMF)* 15th Floor, 96 Victoria
Street, London SW1E 5JW England.

Ship to Ship Transfer Guide 155.1035
(Petroleum), Second Edi-
tion, 1988.

[CGD 91-034, 58 FR 7424, Feb. 5, 1993, as
amended by CGD 90-068, 58 FR 67995, Dec. 22,
1993; CGD 96-026, 61 FR 33666, June 28, 1996;
CGD 95-028, 62 FR 51194, Sept. 30, 1997; USCG-
1998-4443, 63 FR 71763, Dec. 30, 1998; USCG-
1999-5151, 64 FR 67176, Dec. 1, 1999]

Subpart B—Vessel Equipment

SOURCE: CGD 75-124a, 48 FR 45715, Oct. 6,
1983, unless otherwise noted.

§ 155.200 Definitions.

As used in this subpart:

Inland oil barge means a tank barge
carrying oil in bulk as cargo certifi-
cated by the Coast Guard under 46 CFR
chapter I, subchapter D for river or
canal service or lakes, bays, and sounds
service.

On-deck spill means a discharge of oil
on the deck of a vessel during loading,
unloading, transfer, or other shipboard
operations. An on-deck spill could re-
sult from a leaking fitting, an overflow,
a bad connection, or similar opera-
tional mishap. The term *on-deck spill*
is used to differentiate these opera-
tional discharges from those caused
by collision or grounding where the
hull is punctured and a tank is rup-
tured, resulting in an uncontrolled dis-
charge of oil into the marine environ-
ment.

Offshore oil barge means a tank barge
carrying oil in bulk as cargo, including
dual-mode integrated tug-barges, cer-
tified by the Coast Guard under 46
CFR chapter I, subchapter D, for navi-
gation in waters outside the Boundary
Lines, as defined in 46 CFR part 7, in
any ocean or the Gulf of Mexico; any
tank barge in Great Lakes service; or
any foreign flag tank barge.

Oil tanker means a self-propelled ves-
sel carrying oil in bulk as cargo, in-
cluding integrated tug-barges designed
for push-mode operation.

Vessel carrying oil as secondary cargo
means a vessel carrying oil pursuant to
a permit issued under 46 CFR 30.01-5, 46
CFR 70.05-30, or 46 CFR 90.05-35 or pur-
suant to an International Oil Pollution
Prevention (IOPP) or Noxious Liquid
Substance (NLS) certificate required
by §§ 151.33 or 151.35 of this chapter; or
any uninspected vessel that carries oil
in bulk as cargo.

[CGD 90-068, 58 FR 67996, Dec. 22, 1993]

**§ 155.205 Discharge removal equip-
ment for vessels 400 feet or greater
in length.**

(a) Oil tankers and offshore oil barges
with an overall length of 400 feet or
more must carry appropriate equip-
ment and supplies for the containment
and removal of on-deck oil cargo spills
of at least 12 barrels.

(b) The equipment and supplies must
include—

- (1) Sorbents;
- (2) Non-sparking hand scoops, shov-
els, and buckets;
- (3) Containers suitable for holding re-
covered waste;
- (4) Emulsifiers for deck cleaning;
- (5) Protective clothing;
- (6) A minimum of one non-sparking
portable pump with hoses; and
- (7) Scupper plugs.

(c) During cargo transfer operations,
the equipment and supplies must re-
main ready for immediate use.

[CGD 90-068, 58 FR 67996, Dec. 22, 1993, as
amended by USCG-1998-3799, 63 FR 35531,
June 30, 1998]

**§ 155.210 Discharge removal equip-
ment for vessels less than 400 feet
in length.**

(a) Oil tankers and offshore oil barges
with an overall length of less than 400
feet must carry appropriate equipment
and supplies for the containment and
removal of on-deck oil spills of at least
7 barrels.

(b) The equipment and supplies must
include—

- (1) Sorbents;
- (2) Non-sparking hand scoops, shov-
els, and buckets;