

under §155.720 to amend those procedures if the COTP or OCMI finds that the transfer procedures do not meet the requirements of this part.

(b) The COTP or OCMI shall notify the vessel operator in writing of any inadequacies in the oil transfer procedures. The vessel operator may submit written information, views, and arguments on and proposals for amending the procedures within 14 days from the date of the COTP or OCMI notice. After considering all relevant material presented, the COTP or OCMI shall notify the vessel operator of any amendment required or adopted, or the COTP or OCMI may rescind the notice. The amendment becomes effective 30 days after the vessel operator receives the notice, unless the vessel operator petitions the Commandant to review the COTP or OCMI notice, in which case its effective date is delayed pending a decision by the Commandant. Petitions to the Commandant must be submitted in writing via the COTP or OCMI who issued the requirement to amend.

(c) If the COTP or OCMI finds that there is a condition requiring immediate action to prevent the discharge or risk of discharge that makes the procedure in paragraph (b) of this section impractical or contrary to the public interest, he or she may issue an amendment effective on the date the vessel operator receives notice of it. In such a case, the COTP or OCMI includes a brief statement of the reasons for the findings in the notice, and the vessel operator may petition the Commandant, in any manner, to review the amendment. The petition does not postpone the amendment.

[CGD 75-124, 45 FR 7175, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36255, Sept. 4, 1990]

#### § 155.770 Draining into bilges.

No person may intentionally drain oil or hazardous material from any source into the bilge of a vessel.

[CGD 86-034, 55 FR 36255, Sept. 4, 1990]

#### § 155.775 Maximum cargo level of oil.

(a) For the purposes of this section, "oil" has the same meaning as provided in §151.05 of this chapter.

(b) A cargo tank on a tank vessel may not be filled with oil higher than—

(1) 98.5 percent of the cargo tank volume; or

(2) The level at which the overfill alarm required by §155.480 is set.

[CGD 90-071a, 59 FR 53291, Oct. 21, 1994]

#### § 155.780 Emergency shutdown.

(a) A tank vessel with a capacity of 250 or more barrels that is carrying oil or hazardous material as cargo must have on board an emergency means to enable the person in charge of a transfer operation to a facility, to another vessel, or within the vessel to stop the flow of oil or hazardous material.

(b) The means to stop the flow may be a pump control, a quick-acting, power actuated valve, or an operating procedure. If an emergency pump control is used, it must stop the flow of oil or hazardous material if the oil or hazardous material could siphon through the stopped pump.

(c) The means to stop the flow must be operable from the cargo deck, cargo control room, or the usual operating station of the person in charge of the transfer operation.

[CGD 86-034, 55 FR 36255, Sept. 4, 1990]

#### § 155.785 Communications.

(a) During vessel to vessel transfers, each tank vessel with a capacity of 250 or more barrels of cargo that is carrying oil or hazardous material must have a means that enables continuous two-way voice communication between the persons in charge of the transfer operations on both vessels.

(b) Each vessel must have a means, which may be the communication system itself, that enables a person on board each vessel to effectively indicate his desire to use the means of communication required by paragraph (a) of this section.

(c) The means required by paragraph (a) of this section must be usable and effective in all phases of the transfer operation and all conditions of weather.

(d) Portable radio devices used to comply with paragraph (a) of this section during the transfer of flammable or combustible liquids must be intrinsically safe, as defined in 46 CFR 110.15-