

of resources for firefighting or pollution control. Response and rescue may be performed by facility personnel or by an off-site organization.

(1) If response and rescue are performed by facility personnel, appropriate training and equipment for personnel protection must be furnished to those personnel. Training and equipment that meets 29 CFR 1910.120, hazardous-waste operations and emergency response, will be appropriate.

(2) If response and rescue are performed by an off-site organization, the organization must enter into a written agreement with the facility indicating the services it will perform and the time within which it will perform them to injured or trapped personnel.

(b) [Reserved]

**§ 127.1507 Water systems for fire protection.**

(a) Each waterfront facility handling LHG must have a supply of water and a means for distributing and applying the water to protect personnel; to cool storage tanks, equipment, piping, and vessels; and to control unignited leaks and spills in the marine transfer area for LHG except when the evaluation required by § 127.1501(a) indicates otherwise. The evaluation must address fire protection for structures, cargo, and vessels. Each water system must include on the pier or wharf at least one 2½-inch supply line, one 2½-inch fire hydrant, and enough 2½-inch hose to connect the hydrant to the vessel.

(b) Each water system must fully and simultaneously supply, for at least 2 hours, all fixed fire-protection systems, including monitor nozzles, at their designed flow and pressure for the worst single incident foreseeable, plus 63 L/s (1000 gpm) for streams from hand-held hoses.

**§ 127.1509 Equipment for controlling and extinguishing fires.**

(a) Within each marine transfer area for LHG of each waterfront facility handling LHG that transfers a flammable LHG, portable or wheeled fire extinguishers suitable for gas fires, preferably dry chemical extinguishers, must be available at strategic sites, as determined by the evaluation required by § 127.1501(a).

(b) Fixed systems for extinguishing or controlling fires may be appropriate for protection against particular hazards. The evaluation required by § 127.1501(a) may specify the use of one or more of the following fixed systems:

(1) Low-, medium-, or high-expansion foam.

(2) Dry chemicals.

(3) Water applied as deluge, spray, or sprinkle.

(4) Carbon dioxide.

(5) Other NFPA approved fire extinguishing media.

**§ 127.1511 International shore connection.**

Each marine transfer area for LHG that receives foreign flag vessels must have an international shore connection meeting the requirements of ASTM F 1121 (incorporated by reference, see § 127.003).

[CGD 88-049, 60 FR 39796, Aug. 3, 1995, as amended by USCG-2000-7223, 65 FR 40057, June 29, 2000]

FIRE PROTECTION

**§ 127.1601 Smoking.**

Each operator of a waterfront facility handling LHG shall ensure that no person smokes in the marine transfer area for LHG unless—

(a) Neither flammable LHG nor its vapors are present in the area; and

(b) The person is in a place designated and marked in accordance with local law.

**§ 127.1603 Hotwork.**

Each operator of a waterfront facility handling LHG shall ensure that no person conducts welding, torch cutting, or other hotwork on the facility, or on a vessel moored to the facility, unless—

(a) The COTP has issued a permit for that hotwork; and

(b) The conditions of the permit are met.

**§ 127.1605 Other sources of ignition.**

Each operator of a waterfront facility handling LHG shall ensure that in the marine transfer area for LHG—

(a) There are no open fires or open flame lamps;

(b) Heating equipment will not ignite combustible material;

(c) Each chimney and appliance has a spark arrestor if it uses solid fuel or is located where sparks may ignite combustible material; and

(d) All rubbish, debris, and waste go into appropriate receptacles.

[CGD 88-049, 60 FR 39796, Aug. 3, 1995, as amended by CGD 97-023, 62 FR 33363, June 19, 1997]

## PART 128—SECURITY OF PASSENGER TERMINALS

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AUTHORITY: 33 U.S.C. 1231; 49 CFR 1.46.

SOURCE: CGD 91-012, 61 FR 37654, July 18, 1996, unless otherwise noted.

EDITORIAL NOTE: For a document relating to clarification of part 128, see 61 FR 51597, Oct. 3, 1996.

### Subpart A—General

#### § 128.100 Does this part apply to me?

This part applies to all passenger terminals in the United States or its territories when being used for the assembling, processing, embarking, or disembarking of passengers or baggage for passenger vessels over 100 gross tons, carrying more than 12 passengers for hire; making a voyage lasting more

than 24 hours, any part of which is on the high seas. It does not apply to terminals when serving ferries that hold Coast Guard Certificates of Inspection endorsed for "Lakes, Bays, and Sounds", and that transit international waters for only short periods of time, on frequent schedules.

#### § 128.110 Definitions.

The definitions in part 120 of this chapter apply to this part, except for the definition of *You*. As used in this part:

*You* means the owner or operator of a passenger terminal.

[CGD 91-012, 63 FR 53591, Oct. 6, 1998]

#### § 128.120 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 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 must make the material available to the public. All approved material may be inspected at the U.S. Coast Guard, (G-MSE), 2100 Second Street SW., Washington, DC, and at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). Copies may be obtained from IMO, 4 Albert Embankment, London SE1 7 SR.

(b) The materials approved for incorporation by reference in this part and the sections affected are:

#### INTERNATIONAL MARITIME ORGANIZATION (IMO)

4 Albert Embankment, London SE1 7SR

MSC Circular 443, Measures to Prevent Unlawful Acts Against Passengers and Crews on Board Ships September 26, 1986—128.220, 128.300

[CGD 91-012, 61 FR 37654, July 18, 1996, as amended by USCG-2002-12471, 67 FR 41332, June 18, 2002; 69 FR 18803, Apr. 9, 2004]