

(2) Each transfer connection point in use on any barge moored at the facility to or from which oil or hazardous material is being transferred;

(3) Each transfer operations work area on the facility; and

(4) Each transfer operation work area on any barge moored at the facility to or from which oil or hazardous material is being transferred.

(b) Where the illumination is apparently inadequate, the COTP may require verification by instrument of the levels of illumination. On a horizontal plane 3 feet above the barge deck or walking surface, illumination must measure at least:

(1) 5.0 foot candles at transfer connection points; and

(2) 1.0 foot candle in transfer operations work areas.

(c) For small or remote facilities, the COTP may authorize operations with an adequate level of illumination provided by the vessel or by portable means.

(d) Lighting must be located or shielded so as not to mislead or otherwise interfere with navigation on the adjacent waterways.

[CGD 75-124, 45 FR 7172, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36253, Sept. 4, 1990]

Subpart D—Facility Operations

§ 154.700 General.

No person may operate a facility unless the equipment, personnel, and operating procedures of that facility meet the requirements of this part.

[CGD 75-124, 45 FR 7173, Jan. 31, 1980]

§ 154.710 Persons in charge: Designation and qualification.

No person may serve, and the facility operator may not use the services of a person, as person in charge of facility transfer operations unless:

(a) The facility operator has designated that person as a person in charge;

(b) The person has had at least 48 hours of experience in transfer operations at a facility in operations to which this part applies. The person also has enough experience at the facility for which qualification is desired to

enable the facility operator to determine that the person's experience is adequate;

(c) The person has completed a training and qualification program established by the facility operator and described in the Operations Manual in accordance with § 154.310(a)(21), that provides the person with the knowledge and training necessary to properly operate the transfer equipment at the facility, perform the duties described in paragraph (d) of this section, follow the procedures required by this part, and fulfill the duties required of a person in charge during an emergency, except that the COTP may approve alternative experience and training requirements for new facilities; and

(d) The facility operator must certify that each person in charge has the knowledge of, and skills necessary to—

(1) The hazards of each product to be transferred;

(2) The rules in this part and in Part 156 of this chapter;

(3) The facility operating procedures as described in the operations manual;

(4) Vessel transfer systems, in general;

(5) Vessel transfer control systems, in general;

(6) Each facility transfer control system to be used;

(7) Follow local discharge reporting procedures; and

(8) Carry out the facility's response plan for discharge reporting and containment.

(e) Training conducted to comply with the hazard communication programs required by the Occupational Safety and Health Administration (OSHA) of the Department of Labor (DOL) (29 CFR 1910.1200) or the Environmental Protection Agency (EPA) (40 CFR 311.1), or to meet the requirements of subpart F of this part may be used to satisfy the requirements in paragraphs (c) and (d) of this section, as long as the training addresses the

§ 154.730

33 CFR Ch. I (7-1-05 Edition)

requirements in paragraphs (c) and (d) of this section.

(Sec. 311(j)(1)(C) of the Federal Water Pollution Control Act (86 Stat. 816, 868); 33 U.S.C. 1161(j)(1)(C); EO 11548, 3 CFR, 1966-1970 Comp., p. 949; 49 CFR 1.46(m))

[CGD 71-160R, 37 FR 28253, Dec. 21, 1972, as amended by CGD 86-034, 55 FR 36253, Sept. 4, 1990; CGD 93-056, 61 FR 41460, Aug. 8, 1996]

§ 154.730 Persons in charge: Evidence of designation.

Each person in charge shall carry evidence of his designation as a person in charge when he is engaged in transfer operations unless such evidence is immediately available at the facility.

(Sec. 311(j)(1)(C) of the Federal Water Pollution Control Act (86 Stat. 816, 868); 33 U.S.C. 1161(j)(1)(C); EO 11548, 3 CFR, 1966-1970 Comp., p. 949; 49 CFR 1.46(m))

[CGD 71-160R, 37 FR 28253, Dec. 21, 1972]

§ 154.735 Safety requirements.

Each operator of a facility to which this part applies shall ensure that the following safety requirements are met at the facility:

- (a) Access to the facility by fire-fighting personnel, fire trucks, or other emergency personnel is not impeded.
- (b) Materials which are classified as hazardous under 49 CFR parts 170 through 179 are kept only in the quantities needed for the operation or maintenance of the facility and are stored in storage compartments.
- (c) Gasoline or other fuel is not stored on a pier, wharf, or other similar structure.
- (d) A sufficient number of fire extinguishers approved by an independent laboratory listed in 46 CFR 162.028-5 for fighting small, localized fires are in place throughout the facility and maintained in a ready condition.
- (e) The location of each hydrant, standpipe, hose station, fire extinguisher, and fire alarm box is conspicuously marked and readily accessible.
- (f) Each piece of protective equipment is ready to operate.
- (g) Signs indicating that smoking is prohibited are posted in areas where smoking is not permitted.
- (h) Trucks and other motor vehicles are operated or parked only in designated locations.
- (i) All rubbish is kept in receptacles.

(j) All equipment with internal combustion engines used on the facility—

- (1) Does not constitute a fire hazard; and
 - (2) Has a fire extinguisher attached that is approved by an independent laboratory listed in 46 CFR 162.028-5, unless such a fire extinguisher is readily accessible nearby on the facility.
- (k) Spark arresters are provided on chimneys or appliances which—
- (1) Use solid fuel; or
 - (2) Are located where sparks constitute a hazard to nearby combustible material.

(l) All welding or hot work conducted on or at the facility is the responsibility of the facility operator. The COTP may require that the operator of the facility notify the COTP before any welding or hot work operations are conducted. Any welding or hot work operations conducted on or at the facility must be conducted in accordance with NFPA 51B. The facility operator shall ensure that the following additional conditions or criteria are met:

- (1) Welding or hot work is prohibited during gas freeing operations, within 30.5 meters (100 feet) of bulk cargo operations involving flammable or combustible materials, within 30.5 meters (100 feet) of fueling operations, or within 30.5 meters (100 feet) of explosives or 15.25 meters (50 feet) of other hazardous materials.
- (2) If the welding or hot work is on the boundary of a compartment (*i.e.*, bulkhead, wall or deck) an additional fire watch shall be stationed in the adjoining compartment.
- (3) Personnel on fire watch shall have no other duties except to watch for the presence of fire and to prevent the development of hazardous conditions.
- (4) Flammable vapors, liquids or solids must first be completely removed from any container, pipe or transfer line subject to welding or hot work.
- (5) Tanks used for storage of flammable or combustible substances must be tested and certified gas free prior to starting hot work.
- (6) Proper safety precautions in relation to purging, inserting, or venting shall be followed for hot work on containers;
- (7) All local laws and ordinances shall be observed;