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or her as a PIC, unless equivalent evidence is immediately available aboard the vessel or at his or her place of employment.

(3) On each tank barge, for its own engine-driven pumps, either complies with paragraph (e)(1) or (2) of this section or has been instructed by the operator or agent of the vessel both in his or her duties and in the Federal statutes and regulations on water pollution that apply to the vessel; or

(4) On each foreign vessel, holds a license or certificate issued by a flag state party to STCW, or other form of evidence acceptable to the Coast Guard, attesting the qualifications of the PIC to act as master, mate, pilot, operator, engineer, or tankerman aboard that vessel.

(f) Except as provided in paragraph (g) of this section, the operator or agent of each self-propelled tank vessel carrying oil or hazardous material in bulk shall verify to his or her satisfaction that the PIC of the transfer of oil or hazardous material in bulk to or from a vessel, or of cargo-tank cleaning, holds a Tankerman-PIC endorsement on his or her MMD and either a license or a Certificate issued by a flag state party to STCW authorizing service as a master, mate, pilot, engineer, or operator aboard that vessel.

(g) The PIC of a cargo-tank cleaning on a vessel at a tank-cleaning facility or shipyard need not hold any of the licenses, documents, certificates, or endorsements required in paragraphs (a) through (f) of this section, if he or she is a National Fire Protection Association Certificated Marine Chemist.

[CGD 79-116, 60 FR 17141, Apr. 4, 1995, as amended by CGD 79-116, 61 FR 25126, May 8, 1997; CGD 79-116, 63 FR 35826, July 1, 1998]

§ 155.715 Contents of letter of designation as a person-in-charge of the transfer of fuel oil.

The letter of instruction required in § 155.710(e)(2) must designate the holder as a person-in-charge of the transfer of fuel oil and state that the holder has received sufficient formal instruction from the operator or agent of the vessel to ensure his or her ability to safely and adequately carry out the duties

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and responsibilities of the PIC described in 33 CFR 156.120 and 156.150.

[CGD 79-116, 63 FR 35826, July 1, 1998]

§ 155.720 Transfer procedures.

The operator of a vessel with a capacity of 250 or more barrels of oil, hazardous material, or liquefied gas as regulated in Table 4 of 46 CFR part 154 shall provide transfer procedures that meet the requirements of this part and part 156 of this chapter for transferring—

(a) To or from the vessel; and

(b) From tank to tank within the vessel.

[CGD 86-034, 55 FR 36254, Sept. 4, 1990, as amended by CGD 79-116, 62 FR 25127, May 8, 1997]

§ 155.730 Compliance with transfer procedures.

The vessel operator of each vessel required by § 155.720 to have transfer procedures shall maintain them current and shall require vessel personnel to use the transfer procedures for each transfer operation.

[CGD 75-124, 45 FR 7175, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36254, Sept. 4, 1990]

§ 155.740 Availability of transfer procedures.

The transfer procedures required by § 155.720 must be:

(a) Available for inspection by the COTP or OCMI whenever the vessel is in operation;

(b) Legibly printed in a language or languages understood by personnel engaged in transfer operations; and

(c) Permanently posted or available at a place where the procedures can be easily seen and used by members of the crew when engaged in transfer operations.

[CGD 75-124, 45 FR 7175, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36254, Sept. 4, 1990]

§ 155.750 Contents of transfer procedures.

(a) The transfer procedures required by § 155.720 must contain, either in the order listed or by use of a cross-reference index page:

(1) A list of each product transferred to or from the vessel, including the following information:

- (i) Generic or chemical name;
- (ii) Cargo information as described in § 154.310(a)(5)(ii) of this chapter; and
- (iii) Applicability of transfer procedures;

(2) A description of each transfer system on the vessel including:

- (i) A line diagram of the vessel's transfer piping, including the location of each valve, pump, control device, vent, and overflow;
- (ii) The location of the shutoff valve or other isolation device that separates any bilge or ballast system from the transfer system; and
- (iii) A description of and procedures for emptying the discharge containment system required by §§ 155.310 and 155.320;

(3) The number of persons required to be on duty during transfer operations;

(4) The duties by title of each officer, person in charge, tankerman, deckhand, and any other person required for each transfer operation;

(5) Procedures and duty assignments for tending the vessel's moorings during the transfer of oil or hazardous material;

(6) Procedures for operating the emergency shutdown and communications means required by §§ 155.780 and 155.785, respectively;

(7) Procedures for topping off tanks;

(8) Procedures for ensuring that all valves used during the transfer operations are closed upon completion of transfer;

(9) Procedures for reporting discharges of oil or hazardous material into the water; and

(10) Procedures for closing and opening the vessel openings in § 155.815.

(11) Statements explaining that each hazardous materials transfer hose is marked with either the name of each product which may be transferred through the hose or with letters, numbers or other symbols representing all such products and the location in the transfer procedures where a chart or list of the symbols used and a list of the compatible products which may be transferred through the hose can be found for consultation before each transfer.

(12) Exemptions or alternatives granted must be placed in the front of the transfer procedures.

(c) The vessel operator shall incorporate each amendment to the transfer procedures under § 155.760 in the procedures with the related existing requirement, or at the end of the procedures if not related to an existing requirement.

(d) If a vessel is fitted with a vapor control system, the transfer procedures must contain a description of the vapor collection system on the vessel which includes:

(1) A line diagram of the vessel's vapor collection system piping, including the location of each valve, control device, pressure-vacuum relief valve, pressure indicator, flame arresters, and detonation arresters, if fitted;

(2) The location of spill valves and rupture disks, if fitted;

(3) The maximum allowable transfer rate determined in accordance with 46 CFR 39.30-1(d) (1) through (d)(3);

(4) The initial transfer rate for each tank that complies with 46 CFR 39.30-1(h);

(5) A table or graph of transfer rates and corresponding vapor collection system pressure drops calculated in accordance with 46 CFR 39.30-1(b);

(6) The relief settings of each spill valve, rupture disk, and pressure-vacuum relief valve; and

(7) A description of and procedures for operating the vapor collection system, including the:

(i) Pre-transfer equipment inspection requirements;

(ii) Vapor line connection;

(iii) Closed gauging system;

(iv) High level alarm system, if fitted; and

(v) Independent automatic shutdown system, if fitted.

(e) If a cargo tank of a tank vessel is fitted with an overfill device, the transfer procedures must contain a description of the overfill device, including:

(1) The tank overfill device system and specific procedures for the person in charge to—

(i) Monitor the level of cargo in the tank; and

(ii) Shut down transfer operations in time to ensure that the cargo level in

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each tank does not exceed the maximum amount permitted by § 155.775(b).

(2) Pre-transfer overfill device equipment inspection and test requirements.

(Approved by the Office of Management and Budget under control number 2115-0120)

[CGD 75-124, 45 FR 7175, Jan. 31, 1980, as amended by CGD 88-102, 55 FR 25445, June 21, 1990; CGD 86-034, 55 FR 36254, Sept. 4, 1990; CGD 92-027, 58 FR 39662, July 26, 1993; CGD 90-071a, 59 FR 53291, Oct. 21, 1994]

§ 155.760 Amendment of transfer procedures.

(a) The COTP or OCMI may require the vessel operator of any vessel that is required to have transfer procedures 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

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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.