

## § 35.01-1

35.40-35 Rudder orders—TB/ALL.  
35.40-40 Marking and instructions for fire and emergency equipment—TB/ALL.

AUTHORITY: 33 U.S.C. 1321(j); 46 U.S.C. 3306, 3703, 6101; 49 U.S.C. 5103, 5106; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGFR 65-50, 30 FR 16704, Dec. 30, 1965, unless otherwise noted.

### Subpart 35.01—Special Operating Requirements

#### § 35.01-1 Inspection and testing required when making alterations, repairs, or other such operations involving riveting, welding, burning, or like fire-producing actions—TB/ALL.

(a) The provisions of “Standard for the Control of Gas Hazards on Vessels to be Repaired,” NFPA No. 306, published by National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269, shall be used as a guide in conducting the inspections and issuance of certificates required by this section.

(b) Until an inspection has been made to determine that such operation can be undertaken with safety, no alterations, repairs, or other such operations involving riveting, welding, burning, or like fire-producing actions shall be made:

(1) Within or on the boundaries of cargo tanks which have been used to carry flammable or combustible liquid or chemicals in bulk, or within spaces adjacent to such cargo tanks; or,

(2) Within or on the boundaries of fuel tanks; or,

(3) To pipe lines, heating coils, pumps, fittings, or other appurtenances connected to such cargo or fuel tanks.

(c) Such inspections shall be made and evidenced as follows:

(1) In ports or places in the United States or its territories and possessions, the inspection shall be made by a marine chemist certificated by the National Fire Protection Association; however, if the services of such certified marine chemist are not reasonably available, the Officer in Charge, Marine Inspection, upon the recommendation of the vessel owner and his contractor or their representative,

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shall select a person who, in the case of an individual vessel, shall be authorized to make such inspection. If the inspection indicates that such operations can be undertaken with safety, a certificate setting forth the fact in writing and qualified as may be required, shall be issued by the certified marine chemist or the authorized person before the work is started. Such qualifications shall include any requirements as may be deemed necessary to maintain, insofar as can reasonably be done, the safe conditions in the spaces certified, throughout the operation and shall include such additional tests and certifications as considered required. Such qualifications and requirements shall include precautions necessary to eliminate or minimize hazards that may be present from protective coatings or residues from cargoes.

(2) When not in such a port or place, and a marine chemist or such person authorized by the Officer in Charge, Marine Inspection, is not reasonably available, the inspection shall be made by the senior officer present and a proper entry shall be made in the vessel's logbook.

(d) It shall be the responsibility of the senior officer present to secure copies of certificates issued by the certified marine chemist or such person authorized by the Officer in Charge, Marine Inspection. It shall be the responsibility of the senior officer present, insofar as the persons under his control are concerned, to maintain a safe condition on the vessel by full observance of all qualifications and requirements listed by the marine chemist in the certificate.

[CGFR 65-50, 30 FR 16704, Dec. 30, 1965, as amended by CGD 95-072, 60 FR 50462, Sept. 29, 1995]

#### § 35.01-3 Incorporation by reference.

(a) Certain materials are 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). To enforce any edition other than the one listed in paragraph (b) of this section, notice of the change must be published in the FEDERAL REGISTER and the material made available to the public. All approved material is on file at the U.S. Coast Guard, Office

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of Operating and Environmental Standards, 2100 Second Street SW., Washington, DC 20593–0001, and is available from the address indicated in paragraph (b), or 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).

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

*American Society for Testing and Materials*  
100 Barr Harbor Drive, West Conshohocken,  
PA 19428–2959

ASTM F 1014–92 Standard Specification for Flashlights on Vessels.

Section affected—35.30–20(c)(3)

ASTM Adjunct F 1626, Symbols for Use in Accordance with Regulation II–2/20 of the 1974 SOLAS Convention, PCN 12–616260–01, © 1996–35.10–3

ASTM D 93–97, Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester–35.25–10

International Maritime Organization (IMO) Publications Section, 4 Albert Embankment, London, SE1 7SR United Kingdom. Resolution A.654(16), Graphical Symbols for Fire Control Plans—35.10–3

NOTE: All other documents referenced in this part are still in effect.

[CGD 82–042, 53 FR 17704, May 18, 1988, as amended by CGD 96–041, 61 FR 50727, Sept. 27, 1996; CGD 97–057, 62 FR 51043, Sept. 30, 1997; CDG 95–028, 62 FR 51199, Sept. 30, 1997; USCG–1999–5151, 64 FR 67177, Dec. 1, 1999]

### § 35.01–5 Sanitary condition and crew quarters—T/ALL.

It shall be the duty of the master and chief engineer of every tankship to see that such vessel and crew's quarters are kept in a sanitary condition.

[CGFR 65–50, 30 FR 16704, Dec. 30, 1965, as amended by CGD 95–027, 61 FR 25999, May 23, 1996]

### § 35.01–10 Shipping papers—TB/ALL.

Each loaded tank vessel shall have on board a bill of lading, manifest, or shipping document giving the name of the consignee and the location of the delivery point, the kind, grades, and approximate quantity of each kind and grade of cargo, and for whose account the

cargo is being handled. The tank vessel shall not be delayed in order to secure exact quantities of cargo. Such manifests or bills of lading may be made out by the master, master of the towing vessel, owner, or agent of the owner: *Provided, however,* That in the case of unmanned barges where shipping papers are not available, an entry in the logbook of the towing vessel giving the name of the shipper and location of shipping point, the name of the consignee and location of delivery point, the approximate kind, grade, and quantity of cargo in each barge of the tow, and for whose account the cargo is being handled, shall be considered as complying with the requirements of this section.

### § 35.01–15 Carriage of persons other than crew—TB/ALL.

No person not connected with the operation of a tank ship or tank barge or not having legitimate business with said vessel, shall be permitted aboard while vessel is under way unless specifically allowed by its certificate.

### § 35.01–25 Sacrificial anode installations—TB/ALL.

(a) The installation of magnesium sacrificial anodes in cargo tanks utilized for the carriage of flammable or combustible liquids in bulk is prohibited.

(b) A sacrificial anode using an aluminum alloy will be permitted in cargo tanks under the following criteria:

(1) The maximum allowable energy that can be developed by a falling anode shall be 200 foot-pounds.

(2) No anode shall be installed more than 6 feet above the bottom of the tank. Special consideration will be given when structural design prevents the anodes from falling in event of failure of the attachments.

(3) Each anode shall have at least two welded or bolted connections to the supporting structure. Special consideration will be given to proprietary attachments which provide equally safe installations.

(4) The plans of the anode installation and a chemical analysis of the alloy composition shall be submitted