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or under any other waters, other than a vessel or a public vessel.

Oil means oil of any kind or in any form, including but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.

Onshore facility means any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under any land within the United States other than submerged land.

Person in charge means an individual designated as a person in charge of transfer operations under §154.710 (for facilities) or §155.700 (for vessels) of this chapter.

STCW means the International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers, 1978.

Self-propelled tank vessel means a self-propelled tank vessel other than a tankship.

Tank barge means a non-self-propelled tank vessel.

Tankship means a self-propelled tank vessel constructed or adapted primarily to carry oil or hazardous material in bulk in the cargo spaces.

Tank vessel means a vessel that is constructed or adapted to carry, or that carries, oil or hazardous material in bulk as cargo or cargo residue, and that—

- (a) Is a vessel of the United States;
- (b) Operates on the navigable waters of the United States; or
- (c) Transfers oil or hazardous material in a port or place subject to the jurisdiction of the United States.

Transfer means any movement of oil or hazardous material to, from, or within a vessel by means of pumping, gravitation, or displacement. A transfer is considered to begin when the person in charge on the transferring vessel or facility and the person in charge on the receiving facility or vessel first meet to begin completing the declaration of inspection as required by §156.150 of this chapter. A transfer is considered to be complete when all the connections for the transfer have been uncoupled and secured with blanks or other closure devices and both of the persons in charge have completed the declaration of inspection to include the

date and time the transfer was complete.

Vessel operator means a person who owns, operates, or is responsible for the operation of a vessel.

[CGD 75-124, 45 FR 7169, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36252, Sept. 4, 1990; CGD 79-116, 60 FR 17141, Apr. 4, 1995; CGD 93-056, 61 FR 41458, Aug. 8, 1996; 62 FR 3610, Jan. 24, 1997; CGD 79-116, 62 FR 25125, May 8, 1997]

§ 154.106 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 make the material available to the public. All approved material is available for inspection at the U.S. Coast Guard, Office of the Compliance (G-MOC), Room 1116, 2100 Second Street SW., Washington, DC 20593-0001, 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. All approved material is available from the sources indicated in paragraph (b) of this section.

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

American Petroleum Institute (API)
 2101 L Street NW., Washington, DC 20037
 API Standard 2000, Venting Atmospheric and Low-Pressure Storage Tanks (Nonrefrigerated and Refrigerated), Third Edition, January 1982 (reaffirmed December 1987)154.814
 API Recommended Practice 550, Manual on Installation of Refinery Instruments and Control Systems, Part II—Process Stream Analyzers, Section 1—Oxygen Analyzers, Fourth Edition, February 1985.....154.824
 American National Standards Institute (ANSI)
 11 West 42nd Street, New York, NY 10036
 ANSI B16.5, Steel Pipe Flanges and Flanged Fittings, 1988.....154.500; 154.808;

Coast Guard, DHS

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ANSI B16.24, Bronze Pipe Flanges and Flange Fittings Class 150 and 300, 1979.....154.500; 154.808
ANSI B31.3, Chemical Plant and Petroleum Refinery Piping, 1987 (including B31.3a-1988, B31.3b-1988, and B31.3c-1989 addenda).....154.510; 154.808
American Society for Testing and Materials (ASTM)
100 Barr Harbor Drive, West Conshohocken, PA 19428-2959.
ASTM F 631-93, Standard Guide for Collecting Skimmer Performance Data in Controlled EnvironmentsAppendix C
ASTM F 715-95, Standard Test Methods for Coated Fabrics Used for Oil Spill Control and StorageAppendix C
ASTM F 722-82 (1993), Standard Specification for Welded Joints for Shipboard Piping SystemsAppendix A; Appendix B
ASTM F 1122-87 (1992), Standard Specification for Quick Disconnect Couplings154.500
ASTM F 1155-98, Standard Practice for Selection and Application of Piping System MaterialsAppendix A; Appendix B
International Electrotechnical Commission (IEC)
Bureau Central de la Commission Electrotechnique Internationale, 1 rue de Varembe, Geneva, Switzerland
IEC 309-1—Plugs, Socket-Outlets and Couplers for Industrial Purposes: Part 1, General Requirements, 1979154.812
IEC 309-2—Plugs, Socket-Outlets and Couplers for Industrial Purposes: Part 2, Dimensional Interchangeability Requirements for Pin and Contact-tube Accessories, 1981154.812
National Electrical Manufacturers Association (NEMA)
2101 L Street NW., Washington, DC 20036
ANSI NEMA WD-6—Wiring Devices, Dimensional Requirements, 1988154.812
National Fire Protection Association (NFPA)
1 Batterymarch Park, Quincy, MA 02269-9101
NFPA 51B, Standard for Fire Prevention in Use of Cutting and Welding Processes, 1994154.735
Oil Companies International Marine Forum (OCIMF)
96 Victoria Street, 15th Floor, London SW1E 5JW, England
International Safety Guide for Oil Tankers and Terminals, Section 6.10, Fourth Ed., 1996.....154.810

International Safety Guide for Oil Tankers and Terminals, Sections 9.1, 9.2, 9.3 and 9.5, Fourth Ed., 1996154.735

[CGD 88-032, 56 FR 35819, July 29, 1991, as amended by CGD 91-036, 58 FR 7352, Feb. 5, 1993; CGD 96-026, 61 FR 33665, June 28, 1996; CGD 93-056, 61 FR 41458, Aug. 8, 1996; 61 FR 42462, Aug. 15, 1996; USCG-1999-5151, 64 FR 67175, Dec. 1, 1999; 69 FR 18803, Apr. 9, 2004; USCG-2004-18057, 69 FR 34926, June 23, 2004]

§ 154.107 Alternatives.

(a) The COTP may consider and approve alternative procedures, methods, or equipment standards to be used by a facility operator in lieu of any requirement in this part if:

(1) Compliance with the requirement is economically or physically impractical;

(2) The alternative provides an equivalent level of safety and protection from pollution by oil or hazardous material, which is documented in the request; and

(3) The facility operator submits a written request for the alternative.

(b) The COTP takes final approval or disapproval action on the request, submitted in accordance with paragraph (a) of this section, in writing within 30 days of receipt of the request.

[CGD 75-124, 45 FR 7169, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36252, Sept. 4, 1990; CGD 93-056, 61 FR 41458, Aug. 8, 1996]

§ 154.108 Exemptions.

(a) The Assistant Commandant for Marine Safety, Security and Environmental Protection, acting for the Commandant, grants an exemption or partial exemption from compliance with any requirement in this part if:

(1) A facility operator submits an application for the exemption via the COTP; and

(2) It is determined, from the application, that:

(i) Compliance with the requirement is economically or physically impractical;

(ii) No alternative procedures, methods, or equipment standards exist that would provide an equivalent level of safety and protection from pollution by oil or hazardous material; and

(iii) The likelihood of oil or hazardous material being discharged is not