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SUBCHAPTER N—DANGEROUS CARGOES

PARTS 140–146 [RESERVED]

PART 147—HAZARDOUS SHIPS' STORES

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AUTHORITY: 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

SOURCE: CGD 84–044, 53 FR 7749, Mar. 10, 1988, unless otherwise noted.

Subpart A—General Provisions

§ 147.1 Purpose and applicability.

(a) This part prescribes regulations designating what hazardous materials may be on board vessels as ships' stores and prescribes requirements for the labeling, stowage, and use of those materials.

(b) This part applies to all vessels listed in 46 U.S.C. 3301 as subject to inspection under part B of 46 U.S.C. Subtitle II. On foreign vessels in the navigable waters of the United States, the Captain of the Port or District Commander may prohibit the unsafe use or stowage of hazardous ships' stores under 33 CFR 160.109.

(c) All certifications previously issued by the Coast Guard under this part permitting the use of particular materials or products as ships' stores are null and void.

§ 147.3 Definitions.

As used in this part:

Accommodation, control, or service spaces means living quarters, including walkways, dining rooms, galleys, pantries, lounges, lavatories, cabins, staterooms, offices, hospitals, cinemas, and game and hobby rooms; areas containing controls for equipment and navigation; workshops, other than those forming part of machinery spaces; and store rooms adjacent to these spaces.

Combustible liquid means *combustible liquid* as the term is defined in 49 CFR 173.120(b).

Compressed gas means *compressed gas* as the term is defined in 49 CFR 173.115.

Consumer commodity means a commodity, such as a polish, insecticide, cleaning compound, or distillate, that is packaged and distributed in a form and quantity intended for sale through retail sales establishments.

Flammable liquid means *flammable liquid* as the term is defined in 49 CFR 173.120(a).

Hazardous material means *hazardous material* as the term is defined in 49 CFR 171.8.

Hazardous ships' stores means ships' stores that are hazardous materials.

Proper shipping name means the name of the hazardous ships' stores shown in Roman print (not in italics) in 49 CFR 172.101.

Ships' stores means materials which are on board a vessel for the upkeep, maintenance, safety, operation, or navigation of the vessel (except for fumigants under part 147A of this chapter, for fuel and compressed air used for the vessel's primary propulsion machinery, or for fixed auxiliary equipment) or for the safety or comfort of the vessel's passengers or crew.

Technical name means the recognized chemical name used in scientific or technical publications.

[CGD 84–044, 53 FR 7749, Mar. 10, 1988, as amended by CGD 97–057, 62 FR 51048, Sept. 30, 1997]

§ 147.5 Commandant (G–MSO); address.

Commandant (G–MSO) is the Office of Operating and Environmental Standards, Marine Safety and Environmental Protection. The address is Commandant (G–MSO), U.S. Coast Guard Headquarters, Washington, DC 20593–0001, and the telephone number is (202) 267–0214.

[CGD 96–041, 61 FR 50731, Sept. 27, 1996]

§ 147.7 Incorporation by reference.

(a) In this part, portions or the entire text of certain standards and specifications are incorporated by reference as the governing requirements for materials, equipment, tests, or procedures to be followed. These standards and specification requirements specifically referred to in this part are the governing requirements for the subject matters covered, unless specifically limited, modified, or replaced by the regulations.

(b) These materials are incorporated by reference into this part under 5 U.S.C. 552(a) with the approval of the Director of the Federal Register. The Office of the Federal Register publishes a table, ''Material Approved for Incorporation by Reference,'' which appears in the Finding Aids section of this volume. To enforce any edition other than the one listed in paragraph (c) of this section, notice of the change must be published in the FEDERAL REGISTER and the material made available. All approved material is on file at the Office of the Federal Register Information Center, 800 North Capitol Street, NW., suite 700, Washington, DC and at U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC 20593–0001. Copies may be obtained from the sources indicated in paragraph (c) of this section.

(c) The materials approved for incorporation by reference in this part are:

American Boat and Yacht Council, Inc. (ABYC), P.O. Box 806, Amityville, NY 11701

ABYC H–25–81—Portable Fuel Systems and Portable Containers for Flammable Liquids, May 12, 1981.

American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. (ASHRAE),

Publication Sales Department, 1791 Tullie Circle, NE, Atlanta, GA 30329

ANSI/ASHRAE 34–78—Number Designation of Refrigerants, approved 1978.

Public Health Service, Department of Health and Human Services (DHHS),

Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

DHHS Publication No. (PHS) 84–2024—The Ship's Medicine Chest and Medical Aid at Sea, revised 1984.

Underwriters Laboratories, Inc. (UL), 12 Laboratory Drive, Research Triangle Park, NC 27709–3995

UL 30—Standard for Metal Safety Cans, 7th Ed., March 11, 1985, revised March 12, 1985 and March 3, 1987.

UL 1185—Standard for Portable Marine Fuel Tanks, Second Edition, March 13, 1978, revised July 6, 1984.

UL 1313—Standard for Nonmetallic Safety Cans for Petroleum Products, 1st Ed., March 15, 1982, revised January 3, 1984 and March 22, 1985.

UL 1314—Standard for Special-Propose Containers, 1st Ed., July 7, 1983, revised February 7, 1984 and September 23, 1986.

[CGD 84–044, 53 FR 7749, Mar. 10, 1988, as amended by CGD 97–057, 62 FR 51048, Sept. 30, 1997]

§ 147.8 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f), which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control no.
§ 147.9	2115–0139
§ 147.30	2115–0139
§ 147.40	2115–0139
§ 147.60(c)(2)	2115–0139

[CGD 88–072, 53 FR 34298, Sept. 6, 1988; 88–072, 53 FR 37570, Sept. 27, 1988]

§ 147.9 Waivers.

(a) Any requirement in this part may be waived on a case by case basis if it is determined by Commandant (G–MSO) that the requirement is impracticable under the circumstances and that an acceptable level of safety can be maintained.

(b) Requests for issuance of a waiver must be in writing and contain a detailed explanation of—

(1) Why the requirement is impracticable; and

(2) What measures will be taken to maintain an acceptable or equivalent level of safety.

[CGD 84–044, 53 FR 7749, Mar. 10, 1988, as amended by CGD 95–072, 60 FR 50465, Sept. 29, 1995; CGD 96–041, 61 FR 50731, Sept. 27, 1996]

§ 147.15 Hazardous ships' stores permitted on board vessels.

Unless prohibited under subpart B of this part, any hazardous material may be on board a vessel as ships' stores if the material—

(a) Is labeled according to § 147.30; and

(b) Meets the requirements, if any, in subpart B of this part applicable to the material.

§ 147.30 Labeling.

(a) Except as provided in paragraph (b) of this section, all immediate receptacles, containers, or packages containing hazardous ships' stores must be labeled in English with the following information concerning the contents:

(1) Technical name or proper shipping name.

(2) For hazardous ships' stores other than liquid fuels, manufacturer's or supplier's name and address.

(3) Hazard classification under 49 CFR 172.101, 173.2, and 173.2(a).

(4) For hazardous ships' stores other than liquid fuels, step by step procedures for proper use.

(5) First aid instructions in the event of personnel contact, including antidotes in the event of ingestion.

(6) Stowage and segregation requirements.

(b) Hazardous ships' stores that are consumer commodities labeled in accordance with the Federal Hazardous Substances Act Regulations in 26 CFR part 1500 need not be labeled as specified in paragraph (a) of this section.

[CGD 84–044, 53 FR 7749, Mar. 10, 1988, as amended by CGD 97–057, 62 FR 51048, Sept. 30, 1997]

§ 147.33 Right of appeal.

Any person directly affected by a decision or action taken under this part, by or on behalf of the Coast Guard, may appeal therefrom in accordance with subpart 1.03 of this chapter.

[CGD 88–033, 54 FR 50381, Dec. 6, 1989; 55 FR 21386, May 24, 1990]

Subpart B—Stowage and Other Special Requirements for Particular Materials

§ 147.35 Purpose of subpart.

This subpart prescribes special requirements applicable to particular, named materials. These requirements are in addition to the general requirements in subpart A applicable to those materials.

§ 147.40 Materials requiring Commandant (G–MSO) approval.

(a) Commandant (G–MSO) approval is required before the following hazardous materials may be on board a vessel as ships' stores:

(1) Poison gases of Class 2, Division 2.3 and toxic liquids of Class 6, Division 6.1 which are poisonous by inhalation in Hazard Zone A.

(2) Explosives of Divisions 1.1 or 1.2.

(3) Flammable gases, other than those addressed specifically in this subpart.

(4) Forbidden materials listed in 49 CFR 172.101.

(b) Request for approval must be submitted to the Commandant (G–MSO), identify the material, and explain the need for its use.

(c) Upon approval, the material is added to the list of materials approved