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SUBCHAPTER N—DANGEROUS CARGOES

PARTS 140–146 [RESERVED]

PART 147—HAZARDOUS SHIPS' STORES

Subpart A—General Provisions

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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

under this section. A copy of this list is available from the Commandant (G–MSO) at the address in § 147.5.

[CGD 84–044, 53 FR 7749, Mar. 10, 1988, as amended by CGD 95–072, 60 FR 50465, Sept. 29, 19955; CGD 96–041, 61 FR 50731, Sept. 27, 1996; CGD 97–057, 62 FR 51048, Sept. 30, 1997]

§ 147.45 Flammable and combustible liquids.

(a) This section applies to the stowage and transfer of flammable and combustible liquids (including gasoline and diesel oil), other than liquids used as fuel for cooking, heating, and lighting under § 147.50.

(b) No flammable or combustible liquids may be stowed in any accommodation, control, or service space (other than a paint locker).

(c) No more than 19 liters (five gallons) of flammable liquids may be stowed in any machinery space. The flammable liquids must be in containers of 3.8 liters (one gallon) or less.

(d) No more than 208 liters (55 gallons) of combustible liquids may be stowed in any machinery space.

(e) An aggregate of more than 7.6 liters (two gallons) of flammable or combustible liquids stowed outside of an accommodation, control, or service, space (other than a paint locker) or outside of a machinery space must be stowed in a paint locker that is marked with a warning sign indicating flammable or combustible liquid storage.

(f) Flammable and combustible liquids used as fuel for portable auxiliary equipment must be stored in—

(1) Integral tanks that form part of the vessel's structure;

(2) An independent tank meeting the requirements of subpart 58.50 of Part 58 of this chapter;

(3) A non-bulk packaging authorized for Class 3 (flammable) liquids or combustible liquids under 49 CFR 173.201, 173.202, or 173.203, as referenced for the specific liquid in column 8B of the Hazardous Materials Table of 49 CFR 172.101.

(4) A portable outboard fuel tank meeting the specifications of ABYC H–25-81 or one identified by Underwriters Laboratories as meeting the specifications of UL 1185;

(5) A portable safety container identified by Underwriters Laboratories as meeting the specifications of UL 30 or UL 1313; or

(6) A portable safety container identified by Underwriters Laboratories as meeting the requirements of UL 1314.

(g) Each portable container of flammable or combustible liquid used for portable auxiliary equipment must be stowed in a paint locker or an open location designated by the master.

(h) Fuel tanks for portable auxiliary equipment using flammable or combustible liquids may only be refilled on a vessel—

(1) By using a container described in paragraph (f)(2), (f)(3), or (f)(5) of this section which has a capacity not exceeding 23 liters (6 gallons); or

(2) In the case of portable outboard fuel tanks described in paragraph (f)(4) of this section, in accordance with paragraph (i) of this section.

(i) Portable containers or portable outboard fuel tanks may be refilled from a larger container of flammable or combustible liquid on the weather deck of a vessel, other than a small passenger vessel subject to Subchapter T of this chapter, provided that—

(1) A drip pan of adequate size is used to collect any drippings; and

(2) At least one Coast Guard approved Type B, Size I, fire extinguisher is within three meters (9.75 feet) of the refilling location.

[CGD 84–044, 53 FR 7749, Mar. 10, 1988, as amended by CGD 92–100, 59 FR 17001, Apr. 11, 1994; CGD 97–057, 62 FR 51048, Sept. 30, 1997]

§ 147.50 Fuel for cooking, heating, and lighting.

(a) Flammable and combustible liquids and gases not listed in this section are prohibited for cooking, heating, or lighting on any vessel, with the exception of combustible liquids on cargo vessels.

(b) Fluid alcohol is prohibited for cooking, heating, or lighting on ferry vessels. Fluid alcohol burners, where wet primed, must have a catch pan not less than ¾ of an inch deep secured inside of the frame of the stove or have the metal protection under the stove flanged up ¾ of an inch to form a pan.

(c) Containers of solidified alcohol must be secured on a fixed base.

(d) Liquefied or non-liquefied gas is prohibited for cooking, heating, and

lighting on ferry vessels, but may be used on other inspected vessels if the system in which it is used meets the applicable requirements of subpart 58.16 or subpart 184.05 of this chapter, as appropriate, or is approved by the Commandant (G–MSE).

(e) Kerosene and commercial standard fuel oil No. 1, No. 2, and No. 3 are prohibited for cooking, heating, or lighting on ferry or passenger vessels, unless the following conditions are met:

(1) Pressure or gravity feed must be used.

(2) Where wet priming is used in a cooking device, the device must have a catch pan not less than three fourths of an inch deep secured inside the frame of the device or a metal protector under the device with a least a three fourths inch flange to form a pan.

(3) Where wet priming is used, a nonflammable priming liquid must be used.

(4) Fuel tanks for fixed stoves must be separated from the stove and mounted in a location open to the atmosphere or mounted inside a compartment with an outside fill and vent.

(5) Fuel lines must have an easily accessible shut-off valve at the tank.

(6) If the fuel tank is outside of a stove compartment, a shut-off valve must be fitted at the stove.

[CGD 84–044, 53 FR 7749, Mar. 10, 1988, as amended by CGD 83–013, 54 FR 6402, Feb. 10, 1989; CGD 95–072, 60 FR 50465, Sept. 29, 1995; CGD 96–041, 61 FR 50731, Sept. 27, 1996]

§ 147.60 Compressed gases.

(a) *Cylinder requirements.* Cylinders used for containing hazardous ships' stores that are compressed gases must be—

(1) Authorized for the proper shipping name of the gas in accordance with 49 CFR 172.101 and 49 CFR part 173;

(2) Constructed in accordance with subpart C of 49 CFR part 178 or exempted under 49 CFR part 107;

(3) Filled, marked, and inspected in accordance with 49 CFR 173.301 through 173.308; and

(4) Except as provided in § 147.65, maintained and retested in accordance with 49 CFR 173.34

(b) *Stowage and care of cylinders.* (1) Cylinders must always be secured and, when not in use, they must be stowed in a rack in an upright position, with the valve protection cap in place.

(2) Lockers or housings must be vented to the open air near the top and bottom for positive circulation of vapors.

(3) Cylinders must be protected from all sources of heat which may cause the cylinders to be heated to a temperature higher than 130° F.

(c) *Pressure vessels other than cylinders.* Pressure vessels, other than cylinders subject to paragraph (a) of this section, used for containing ships' stores that are compressed gases must—

(1) Be constructed and inspected in accordance with part 54 of this chapter; and

(2) Carry only nitrogen or air, unless permission is granted by Commandant (G–MSO) to do otherwise.

[CGD 84–044, 53 FR 7749, Mar. 10, 1988, as amended by CGD 95–072, 60 FR 50465, Sept. 29, 19955; CGD 96–041, 61 FR 50731, Sept. 27, 1996]

§ 147.65 Carbon dioxide and halon fire extinguishing systems.

(a) Carbon dioxide or halon cylinders forming part of a fixed fire extinguishing system must be retested, at least, every 12 years. If a cylinder is discharged and more than five years have elapsed since the last test, it must be retested before recharging.

(b) Carbon dioxide or halon cylinders must be rejected for further service when they—

(1) Leak;

(2) Are dented, bulging, severely corroded, or otherwise in a weakened condition;

(3) Have lost more than five percent of their tare weight; or

(4) Have been involved in a fire.

(c) Cylinders which have contained carbon dioxide or halon and have not been tested within five years must not be used to contain another compressed gas on board a vessel, unless the cylinder is retested and re-marked in accordance with § 147.60 (a)(3) and (a)(4).

(d) Flexible connections between cylinders and distribution piping of semiportable or fixed carbon dioxide fire extinguishing systems and discharge hoses in semi-portable carbon dioxide fire extinguishing systems must be renewed or tested at a pressure of 6.9

MPa (1000 psig). At test pressure, the pressure must not drop at a rate greater than 1.03 MPa (150 psi) per minute for a two minute period. The test must be performed when the cylinders are retested.

(e) Flexible connections between cylinders and distribution piping of fixed halon fire extinguishing systems must be tested at a pressure of one and one-half times the cylinder service pressure as marked on the cylinder. At test pressure, the pressure must not drop at a rate greater than 1.03 MPa (150 psi) per minute for a two minute period. The test must be performed when the cylinders are retested.

§ 147.70 Acetylene.

(a) Seventeen cubic meters (600 standard cubic feet) or less of acetylene may be stowed on or below decks on any vessel.

(b) More than 17 m^3 (600 standard cubic feet) of acetylene may be on board a vessel engaged in industrial operations, if it is stowed on deck.

§ 147.85 Oxygen.

(a) Eighty five cubic meters (3000 standard cubic feet) or less of oxygen may be on board any vessel.

(b) More than 85 m^3 (3000 standard cubic feet) of oxygen may be on board a vessel engaged in industrial operations, if it is stowed on deck or in a well ventilated space.

§ 147.90 Refrigerants.

(a) Only refrigerants listed in ANSI/ASHRAE 34–78 may be carried as ships' stores.

(b) Refrigerants contained in a vessel's operating system are not considered as being carried as ship's stores.

§ 147.95 Explosives.

(a) *Explosives—general.* Except as provided for elsewhere in this subchapter, explosives, as defined in 49 CFR 173.50, which are hazardous ships' stores must be stowed in a magazine which is constructed and located in accordance with 49 CFR 176.122 through 176.138.

(b) *Small arms ammunition.* (1) No person shall bring, have in their possession, or use on board a vessel any small arms ammunition, except by express permission of the master of the vessel.

(2) All small arms ammunition must be stowed in a locked metal magazine or locker. The key to the locker must be kept in the possession of the master or a person designated by the master.

(c) *Ships' signals and emergency equipment.* (1) Explosive ships' signals and emergency equipment, including pyrotechnic distress signals and line throwing equipment, must be stowed in watertight containers or wood lined magazine chests.

(2) All pyrotechnic distress signals, rockets, and line throwing guns must be stowed in accordance with the requirements of 49 CFR 176.140 through 176.146.

[CGD 84–044, 53 FR 7749, Mar. 10, 1988, as amended by CGD 92–100, 59 FR 17001, Apr. 11, 1994; CGD 97–057, 62 FR 51048, Sept. 30, 1997]

§ 147.100 Radioactive materials.

(a) Radioactive materials must not be brought on board, used in any manner, or stored on the vessel, unless the use of the materials is authorized by a current license issued by the Nuclear Regulatory Commission (NRC) under 10 CFR parts 30 and 34.

(b) Stowage of radioactive materials must conform to the requirements of the NRC license.

§ 147.105 Anesthetics, drugs, and medicines.

Anesthetics, drugs, and medicines must be stowed and dispensed in accordance with the DHHS Publication No. (PHS) 84–2024.

PART 147A—INTERIM REGULATIONS FOR SHIPBOARD FUMIGATION

GENERAL

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