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Subpart 148.04—Special Additional Requirements for Certain Materials

148.04–1 Radioactive material, Low Specific Activity (LSA).
148.04–9 Fishmeal or scrap, ground or pelletized; fishmeal or scrap, ground and pelletized (mixture).
148.04–13 Ferrous metal borings, shavings, turnings or cuttings (excluding stainless steel).
148.04–15 Petroleum coke, uncalcined; petroleum coke, uncalcined and calcined (mixture).
148.04–17 Petroleum coke, calcined, at 130° F or above.
148.04–19 Tankage, garbage or rough ammoniate, solid.
148.04–20 Sulfur.
148.04–21 Coconut meal pellets (also known as copra pellets).
148.04–23 Unslaked lime in bulk.

AUTHORITY: 49 U.S.C. 5103; 49 CFR 1.46.

SOURCE: CGD 83–067a, 49 FR 16794, Apr. 20, 1984, unless otherwise noted.

Subpart 148.01—General

§ 148.01–1 Purpose and applicability.

(a) This part prescribes regulations under which bulk solid hazardous materials may be transported. Each master, person in charge of the vessel, owner, charterer and agent shall ensure compliance with this part and communicate the requirements of this part to every person performing any function covered by this part. Each person involved in the transportation of bulk solid hazardous materials shall comply with the requirements of this part within the scope of his job responsibilities.

(b) For the purposes of this part, the term *bulk* applies only to cargoes transported on board cargo vessels or barges without mark or count and which are to be directly loaded into the holds of such vessels or barges without containers or wrappers.

(c) For purposes of this part, the term *vessel* means a ''cargo vessel or barge'' which is not exempted under 49 U.S.C. 5107(d).

(d) For the purposes of this part, the term *transported* includes the various operations associated with the cargo transportation such as, loading, offloading, handling, storing, stowing, carrying, conveying, using, etc.

(e) The term *hazardous materials* includes a number of specific classes, the definitions of which are contained in 49 CFR parts 170–189.

[CGD 83–067a, 49 FR 16794, Apr. 20, 1984, as amended by CGD 95–028, 62 FR 51208, Sept. 30, 1997]

EFFECTIVE DATE NOTE: At 62 FR 51208, Sept. 30, 1997, § 148.01–1(c) was revised by CGD 95–028, effective Oct. 30, 1997. For the convenience of the user, the superseded text is set forth as follows:

§ 148.01–1 Purpose and applicability.

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(c) For the purposes of this part, the term *vessel* means a ''cargo vessel or barge'' which is not exempted under 49 U.S.C. 1806(b).

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§ 148.01–7 Permitted cargoes.

(a) The solid hazardous materials cargoes listed here may be transported in bulk on board vessels if they comply with the regulations in this part. Unlisted cargoes may be transported only if express authority is given by the Commandant in accordance with § 148.01–9 of this subpart.

Shipping name of the hazardous material	Hazard class of the hazardous materials	Characteristic properties of the material
Aluminum dross	Flammable solid	Contact with water may cause self heating and the evolution of flammable gas.
Aluminum nitrate	Oxidizing materials	If involved in a fire will greatly intensify the burning of combustible materials.
Ammonium nitrate containing not more than 80 pct ammonium nitrate and not less than 20 pct calcium carbonate with no more than 2 pct inorganic coating, in the form of uniform and nonsegregatable granular particles.	Oxidizing material	Do.
Ammonium nitrate fertilizer, formulation or mixture containing less than 60 pct ammonium with no organic filler.	.....do	Do.
Ammonium sulfate nitrate	ORM–C	If involved in a fire will intensify the burning of combustible materials.

Shipping name of the hazardous material	Hazard class of the hazardous materials	Characteristic properties of the material
Barium nitrate	Oxidizing material	If involved in a fire will greatly intensify the burning of combustible materials.
Calcium nitrate	.....do	Do.
Charcoal briquets	Flammable solid	Contact with water may cause self heating.
Coconut meal pellets (or copra pellets) containing at least 6 pct and not more than 13 pct moisture and not more than 10 pct residual fat content.	ORM–C	Subject to spontaneous heating by biological decay or by oxidation.
Copra, dry	.....do	Susceptible to spontaneous heating or fire from spark or open flame.
Ferrophosphorus	ORM–A	May evolve poisonous gas (phosphine) in contact with moisture.
Ferrosilicon, containing less than 45 pct or more than 70 pct silicon.	.....do	May evolve poisonous and flammable gases (arsine/phosphine) in contact with water, acids or alkalines.
Ferrous metal borings, shavings, turnings, or cuttings (excluding stainless steel).	ORM–C	Susceptible to spontaneous heating and ignition.
Fishmeal or scrap, ground and pelletized (mixture), containing 6 to 12 pct moisture and no more than 18 pct fat by weight.	.....do	Do.
Lead nitrate	Oxidizing material	If involved in a fire will greatly intensify the burning of combustible materials.
Lime, unslaked	ORM–B	Evolves heat on contact with water.
Magnesium nitrate	Oxidizing material	If involved in fire will greatly intensify the burning of combustible materials.
Petroleum coke, calcined, at 130° F or above	ORM–C	Susceptible to spontaneous heating and ignition.
Petroleum coke, uncalcined	.....do	Do.
Postassium nitrate	Oxidizing material	If involved in a fire will greatly intensify the burning of combustible materials.
Radioactive material, low specific activity (LSA)	Radioactive material	Radiation hazard from ingestion, inhalation and contact with mucous membranes.
Sawdust	ORM–C	Susceptible to fire from sparks or open flames.
Sodium nitrate	Oxidizing material	If involved in a fire will greatly intensify the burning of combustible materials.
Sodium nitrate, potassium nitrate mixture; 67 pct Sodium nitrate, 30 pct Postassium nitrate and not more than 3 percent miscellaneous inorganic compounds.	.....do	Do.
Strontium nitrate (not radioactive)	.....do	Do.
Sulfur	ORM–C	Dust forms explosive mixtures with air.
Tankage, garbage or rough ammoniate solid, containing 7 pct or more moisture.	.....do	Susceptible to spontaneous heating and ignition.

NOTE: Definitions of hazard classes of hazardous materials are found in 49 CFR 171.8 and 49 CFR 173.500.

(b) A mixture or blend of two or more cargoes, one or more of which is listed in paragraph (a) of this section, will be treated as an unlisted cargo and specific authorization by the Commandant, in accordance with §148.01–9, for shipment in bulk is required.

§148.01–9 Filing of special petition for special permit.

(a) A petition for authorization to transport an unlisted cargo or to use alternative procedures must be submitted to the U.S. Coast Guard (G–MSO), Washington, DC 20593, and must contain the following minimum information:

(1) The regulatory provisions involved.

(2) The justification for the proposed shipments or alternative procedure, including any reasons why the current regulations are not appropriate, why the public interest would be served by the proposal, and the basis upon which the proposal would provide an equivalent degree of safety to those shipments conducted in accordance with the current regulations.

(3) A detailed description of the proposal, including when appropriate, drawings, plans, calculations, procedures, test results, previous approvals or permits, and any other supporting information.

(4) The chemical name, common name, hazard classification for properties (chemical and physical), and characteristics of the materials covered by the proposal, including composition and ingredient percentages (specified by weight) if a mixture.

(5) Any relevant shipping or accident experience.

(6) A description of the vessel or vessels to be employed for the shipments and the U.S. ports to be involved.

(7) A statement or recommendation regarding any changes to the regulations which would be desirable to obviate the need for similar permission from the Commandant.

(b) Unless there is a good reason for priority treatment, each proposal is considered in the order in which it is received. To permit timely consideration, proposals should be submitted at least 45 days before the requested effective date.

[CGD 83–067a, 49 FR 16794, Apr. 20, 1984, as amended by CGD 95–072, 60 FR 50465, Sept. 29, 19955; CGD 96–041, 61 FR 50731, Sept. 27, 1996]

§148.01–11 Special permits; standard conditions.

(a) Each person to whom a special permit is issued under the terms of §148.01–9 shall comply with all requirements of this part except as specifically provided by the terms of the special permit.

(b) Unless otherwise specified in the special permit, each shipment made under special permit must comply with the following:

(1) Each shipping paper issued and the dangerous cargo manifest prepared in connection with such shipment must bear the notation ''CG Special Permit No. *'' with the * to be filled in with the assigned special permit number.

(2) Each person to whom a special permit is issued shall furnish a summary of experience to the U.S. Coast Guard (G–MSO), Washington, DC 20593, before the date of expiration of the permit and when any amendment to the special permit is requested. The information must include the number of shipments made, tonnage of each shipment, and what vessel's and U.S. Ports were involved. In addition, an immediate report must be submitted the U.S. Coast Guard (G–MSO) in the event of any casualty, accident, or damaging incident which occurs when transporting solid hazardous materials in bulk under the terms of a special permit.

(3) A copy of the special permit, kept current, and any amendments thereto, must be on board each vessel while transporting solid hazardous materials in bulk under the terms of a special permit. The special permit must be kept with the dangerous cargo manifest (§148.02–3).

(c) Each permit is subject to suspension or revocation for cause by the U.S. Coast Guard before its expiration date.

[CGD 83–067a, 49 FR 16794, Apr. 20, 1984, as amended by CGD 95–072, 60 FR 50465, Sept. 29, 19955; CGD 96–041, 61 FR 50731, Sept. 27, 1996]

§148.01–13 Assignment and certification.

(a) The National Cargo Bureau, Inc., is authorized to assist the U.S. Coast Guard in administering the provisions contained in this part that are applicable to the transportation of solid hazardous materials in bulk on vessels with respect to:

(1) Inspection of vessels for suitability for loading such materials in bulk;

(2) Examination of stowage of such materials loaded in bulk on board vessels;

(3) Making recommendations as to stowage requirements applicable to the transportation of such materials in bulk; and

(4) Issuing of certificates of loading, setting forth that the stowage of such materials in bulk is in accordance with applicable regulations contained in this part.

(b) Certificates of loading from the National Cargo Bureau, Inc., are accepted as evidence of compliance with the applicable provisions of this part with respect to the transportation of solid hazardous materials in bulk on board vessels.

§148.01–15 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]