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151.58–1 Required materials.

AUTHORITY: 33 U.S.C. 1903; 46 U.S.C. 3703; 49 CFR 1.46.

SOURCE: CGFR 70–10, 35 FR 3714, Feb. 25, 1970, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes for part 151 appear at CGD 88–100, 54 FR 40029, Sept. 29, 1989.

Subpart 151.01—General

§ 151.01–1 Applicability.

This part applies to the following:

(a) Oceangoing, as defined in 33 CFR 151.05(j), non-self-propelled United States ships and non-self-propelled foreign ships operating in United States waters that carry a bulk cargo that is—

(1) Listed in Table 151.05;

(2) Not being carried in a portable tank regulated under subpart 98.30 or 98.33 of this chapter; and

(3) Not an NLS or is an NLS cargo that is a Category D listed in § 151.12–5 of this part.

(b) All non-self-propelled United States ships that are not oceangoing that carry a bulk cargo that is—

(1) Listed in Table 151.05, and

(2) Not being carried in a portable tank regulated under subpart 98.30 or 98.33 of this chapter.

[CGD 81–101, 52 FR 7776, Mar. 12, 1987, as amended by CGD 84–043, 55 FR 37413, Sept. 11, 1990]

§ 151.01–2 Incorporation by reference.

(a) Certain standards and specifications 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 ones listed in paragraph (b) of this section, notice of change must be published in the FEDERAL REGISTER and the material made available to the public. All approved material is on file at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC, and is available from the sources indicated in paragraph (b) of this section.

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

American Society for Nondestructive Testing (ASNT)

4153 Arlingate Road, Caller num;28518, Columbus, OH 43228–0518

ASNT ''Recommended Practice No. SNT–TC–1A (1988), Personnel Qualification and Certification in Nondestructive Testing'' .....151.04–7(c)(2)

American Society of Mechanical Engineers

United Engineering Center, 345 East 47th Street, New York, NY 10017

ASME Boiler and Pressure Vessel Code Section V, Nondestructive Examination (1986).....151.04–7(a)(1)

[CGD 85–061, 54 FR 50965, Dec. 11, 1989]

§ 151.01–3 [Reserved]

§ 151.01–5 [Reserved]

§ 151.01–10 Application of vessel inspection regulations.

(a) The regulations in this part are requirements which may be in addition to, supplement, or modify requirements in other subchapters in this chapter. When a specific requirement in another part or section in another subchapter in this chapter is in conflict with or contrary to requirement or intent expressed in this part, the regulations in this part shall take precedence.

(b) Every unmanned tank barge which carries or is intended to carry in bulk any liquid or liquefied gas listed in Table 151.05 and has flammability or combustibility characteristics as indicated by a fire protection requirement in Table 151.05 shall be inspected and certificated under the provisions in subchapter D (Tank Vessels) of this chapter and the regulations in this part.

(c) Every unmanned tank barge prior to the carriage in bulk of any liquid or liquefied gas listed in Table 151.05 which does not have the flammability or combustibility characteristics as indicated by the fire protection requirement in Table 151.05 shall be inspected and certificated under the applicable provisions of subchapter D or subchapter I of this chapter, at the option of the barge owner, in addition to the regulations in this part. However, unless the barge owner notifies the Officer in Charge, Marine Inspection of his option to have the barge inspected and certificated under subchapter I at the time he submits the application for inspection (Form CG–3752), the unmanned tank barge shall be inspected and certificated under the provisions of subchapter D of this chapter and the regulations in this part.

(c–1) Each unmanned tank barge constructed on or after September 6, 1977, that carries in bulk a cargo listed in Table 151.05 and that is certificated under subchapter I of this chapter must meet the loading information requirements in § 31.10–32 of this chapter.

(d) The provisions of subchapter D of this chapter shall apply to all unmanned tank barges which carry in bulk any of the liquids or liquefied gases listed in Table 30.25–1 of this chapter. The provisions of this part shall not apply to such barges unless it is also desired to carry one or more of the liquids or liquefied gases listed in Table 151.05.

(e) Manned barges which carry or intend to carry in bulk the cargoes specified in Table 151.05 will be considered individually by the Commandant and may be required to meet the requirements of this subchapter and of subchapter D (Tank Vessels) or I (Cargo and Miscellaneous Vessels) of this chapter as applicable.

[CGFR 70–10, 35 FR 3714, Feb. 25, 1970]

EDITORIAL NOTE: For Federal Register citations affecting § 151.01–10, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 151.01–15 Dangerous cargoes not specifically named.

(a) Any liquid or liquefied gas, which meets the definitions referred to in § 151.01–1 and is not named in Table 151.05 or Table 30.25–1 of this chapter shall not be transported in bulk in a manned or unmanned tank barge without the prior specific approval of the Commandant.

(b) Mixtures or blends of two or more cargoes, one or more of which appears in Table 151.05, will be treated as though they were new products and specific approval of the Commandant

must be obtained prior to undertaking their transportation.

[CGFR–70–10, 35 FR 3714, Feb. 25, 1970, as amended by CGD 81–101, 52 FR 7777, Mar. 12, 1987; CGD 81–101, 53 FR 28974, Aug. 1, 1988 and 54 FR 12629, Mar. 28, 1989; CGD 88–100, 54 FR 40029, Sept. 29, 1989]

§ 151.01–20 Use of minimum requirements.

(a) The minimum requirements governing transportation of any liquid or liquefied gas listed in Table 151.05 are set forth in this part when such substances are carried in bulk in unmanned tank barges.

(b) Before any liquid or liquefied gas listed in Table 151.05 may be carried in an unmanned tank barge, the certificate of inspection issued to such barge shall be appropriately endorsed to show approval to transport such cargo.

[CFGR 70–10, 35 FR 3714, Feb. 25, 1970, as amended by CGD 88–100, 54 FR 40029, Sept. 29, 1989]

§ 151.01–25 Existing barges.

(a) Except as provided in paragraph (c) of this section, barges certified for, or used within the previous 2 years prior to the effective date of this regulation, or barges equivalent to such barges, for the transportation of any cargo regulated by this subchapter which do not meet the specific requirements herein, may be continued in service subject to the following conditions:

(1) Venting, gauging, and all operating requirements shall be met within a 1–year period subsequent to the effective date.

(2) All other requirements shall be met within a 2–year period subsequent to the effective date.

(b) If an existing barge, which has been designed to carry or has regularly been carrying one or more of the cargoes regulated by this subchapter, is found to be so arranged, or outfitted that conversion to bring it into compliance with any or all of the requirements of this subchapter is impractical or impossible, the Commandant, upon application, may review the plans of the barge to determine if it is suitable and safe for the cargoes to be transported.

(c) Except for operating and vinyl chloride requirements, barges constructed and certificated for the transportation of any cargo for which specific regulations existed, in parts 36, 38, 39, 40, and 98 of this chapter at the time of their construction or conversion, may continue and will be certificated to operate without the requirement that they comply with the provisions of subchapter O of this chapter.

[CGFR 70–10, 35 FR 3714, Feb. 25, 1970, as amended by CGD 74–167k, 40 FR 17026, Apr. 16, 1975]

§ 151.01–30 Effective date.

(a) The regulations in this subchapter are effective on and after June 1, 1970. However, amendments, revisions, or additions shall become effective ninety (90) days after the date of publication in the FEDERAL REGISTER unless the Commandant shall fix a different time.

(b) The regulations in this subchapter are not retroactive in effect unless specifically made so at the time the regulations are issued. Changes in specification requirements of articles of equipment, or materials used in construction of tank barges, shall not apply to such items which have been passed as satisfactory until replacement shall become necessary, unless a specific finding is made that such equipment or materials used is unsafe or hazardous and has to be removed from tank barges.

§ 151.01–35 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]

Subpart 151.02—Equivalents

§ 151.02–1 Conditions under which equivalents may be used.

(a) Where in this part it is provided that a particular fitting, material, appliance, apparatus, or equipment, or type thereof, shall be fitted or carried in a vessel, or that any particular provision shall be made or arrangement including cargo segregation shall be