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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

adopted, the Commandant may accept in substitution therefor any other fitting, material, apparatus or equipment, or type thereof, or any other provision or arrangement. However, the Commandant shall be satisfied by suitable evidence that the fitting, material, appliance, apparatus, or equipment, or the type thereof, or the provision or arrangement shall be at least as effective as that specified in this part.

(b) In any case where it is shown to the satisfaction of the Commandant that the use of any particular equipment, apparatus, or arrangement not specifically required by law is unreasonable or impracticable, the Commandant may permit the use of alternate equipment apparatus, or arrangement to such an extent and upon such conditions as will insure, to his satisfaction, a degree of safety consistent with the minimum standards set forth in this part.

§151.02–5 Design of unmanned barges.

(a) In order not to inhibit design and application, the Commandant may approve vessels of novel design, both new and for conversion, after it is shown to his satisfaction that such a vessel is at least as safe as any vessel which meets the standards required by this part.

(b) [Reserved]

Subpart 151.03—Definitions

§151.03–1 Definitions of terms.

Certain terms used in the regulations in this subchapter are defined in this subpart.

§151.03–3 Angle of downflooding.

The angle of heel of the vessel at which any opening in the hull not provided with a water tight closure would be immersed.

§151.03–5 Approved.

This term means approved by the Commandant unless otherwise stated.

§151.03–7 Barge.

This term means any non-self-propelled vessel designed to carry cargo.

§151.03–9 Cargo.

This term means any liquid, gas or solid having one or more of the dangerous properties defined in this subchapter.

§151.03–11 Coastwise.

This designation refers to all vessels normally navigating the waters of any ocean or the Gulf of Mexico 20 nautical miles or less offshore.

§151.03–13 Cofferdam.

This term means a void or empty space separating two or more compartments for the purpose of isolation or to prevent the contents of one compartment from entering another in the event of the failure of the walls of one to retain their tightness.

§151.03–15 Commandant.

This term means Commandant of the U.S. Coast Guard.

§151.03–17 Compatible.

Compatible means that a cargo will not react in an unsafe manner with other cargo or materials used in construction of the barge. The prime considerations are the chemical, physical, or thermal properties of the reaction including heat, pressure, toxicity, stability, and explosive nature of the reaction and its end products.

§151.03–19 Environment.

This term refers to the atmosphere within a cargo tank and the spaces adjacent to the tank or spaces in which cargo is handled.

§151.03–21 Filling density.

The ratio, expressed as a percentage, of the weight of cargo that may be loaded into a tank compared to the weight of water that the tank will hold at 60°F. The weight of a gallon of water at 60°F. in air shall be 8.32828 pounds.

§151.03–23 Flame arrestor.

Any device or assembly of cellular, tubular, pressure or other type used for preventing the passage of flames into enclosed spaces.