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(2) IMO *International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk,* Resolution MEPC 19(22), 1985 in effect on April 6, 1987.

(3) IMO *Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk,* Resolution MEPC 20(22), 1985 in effect on April 6, 1987.

(b) The IMO documents listed in this section are available from the following:

(1) IMO Secretariat, Publications section, 4 Albert Embankment, London SE1 7SR, United Kingdom, Telex 23588;

(2) New York Nautical Instrument and Service Company, 140 West Broadway, New York, NY 10013;

(3) Baker, Lyman & Company, 3220 South I–10 Service Road, Metairie, LA 70001.

(4) UNZ & Company, 190 Baldwin Avenue, Jersey City, NJ 07306.

(5) Southwest Instrument Company, 235 West 7th Street, San Pedro, CA 90731.

(6) Marine Education Textbooks, 124 North Van Avenue, Houma, LA 70363–5895.

[CGD 81–101, 52 FR 7777, Mar. 12, 1987, as amended by CGD 92–100, 59 FR 17028, Apr. 11, 1994]

### § 153.1 Applicability.

This part applies to the following:

(a) All United States self-propelled ships and those foreign self-propelled ships operating in United States waters that carry in bulk a cargo listed in Table 1 or allowed in a written permission under § 153.900(d), unless—

(1) The ship is carrying the cargo under 33 CFR part 151;

(2) The ship is carrying the cargo in a portable tank under subpart 98.30 or 98.33 of this chapter; or

(3) The ship is an offshore supply vessel carrying the cargo under subpart 98.31 of the chapter; or

(b) All United States oceangoing non-self-propelled ships and those foreign non-self-propelled ships operating in United States waters that carry in bulk a Category A, B, or C NLS cargo listed in Table 1 or allowed in a written permission under § 153.900(d), unless—

(1) The ship is carrying the cargo under 33 CFR part 151;

(2) The ship is carrying the cargo in a portable tank under subpart 98.30 or 98.33 of this chapter;

(3) The ship is an offshore supply vessel carrying the cargo under subpart 98.31 of this chapter; or

(4) The ship's Certificate of Inspection is endorsed for a limited short protected coastwise route and the ship is constructed and certificated primarily for service on an inland route.

(c) All ships that carry a bulk liquid, liquefied gas, or compressed gas cargo that is not—

(1) Listed in Table 1 of this part;

(2) Listed in Table 2 of this part;

(3) Carried under a written permission granted under § 153.900(d);

(4) Carried under part 30 through 35, 98, 151, or 154 of this chapter; or

(5) Carried as an NLS under 33 CFR part 151.

[CGD 81–101, 52 FR 7777, Mar. 12, 1987, as amended by CGD 84–025, 53 FR 15844, May 4, 1988; CGD 81–101, 53 FR 28974, Aug. 1, 1988 and 54 FR 12629, Mar. 28, 1989; CGD 84–043, 55 FR 37413, Sept. 11, 19905; CGD 96–041, 61 FR 50732, Sept. 27, 1996]

### § 153.2 Definitions and acronyms.

As used in this part:

*Accommodation spaces* means halls, dining rooms, lounges, lavatories, cabins, staterooms, offices, hospitals, cinemas, game and hobby rooms, pantries containing no cooking appliances, and similar permanently enclosed spaces.

*Adequate reception facility* means each facility certified as adequate under 33 CFR 158.160 and each facility provided by a Administration signatory to MARPOL 73/78 under Regulation 7 of Annex II.

*Annex II* means Annex II to MARPOL 73/78 and is the Annex to MARPOL 73/78 regulating the discharge of noxious liquid substances to the sea.

*B* means the breadth of the vessel and is defined in § 42.13–15(d) of this chapter.

*Built* means that a ship's construction has reached any of the following stages:

(1) The keel is laid.

(2) The mass of the partially assembled ship is 50,000 kg.

(3) The mass of the partially assembled ship is one percent of the estimated mass of the completed ship.

*Cargo area* means that part of a vessel that includes the cargo tanks, spaces adjacent to the cargo tanks and the part of the deck over the cargo tanks and adjacent spaces.

*Cargo containment system* means a cargo tank, its cargo piping system, its venting system, and its gauging system.

*Cargo handling space* means an enclosed space that must be entered during a routine loading, carriage, or discharge of cargo and that contains an element of the cargo containment system having a seal or packing to prevent the escape of cargo, such as a valve, cargo pump, or cargo vapor compressor.

*Cargo piping system* means a tankship's permanently installed piping arrangement, including any valves and pumps, that carries cargo to or from a cargo tank.

*Cargo tank* means a tank that:

(1) Is part of or permanently affixed to a tankship; and

(2) Carries a cargo described in §153.5 in any quantity, including residual liquid or vapor.

*Certificate of Compliance* means a certificate issued by the Coast Guard that a foreign flag vessel had been examined and found to comply with the regulations in this chapter.

*Closed gauging system* means an arrangement for gauging the amount of cargo in a tank, such as a float and tape or a magnetically coupled float and indicator, that does not have any opening through which cargo vapor or liquid can escape.

*Combustible* is defined in §30.10–15 of this chapter.

*Commandant* means Commandant of the U.S. Coast Guard.

The term is often followed by a mailing code in parentheses. The mailing address should include any mailing code and should be written as follows:

Commandant (mailing code), U.S. Coast Guard, 2100 Second Street SW. Washington, D.C. 20593–0001.

*Control space* is defined in §30.10–19a of this chapter.

*Cycle,* means that the tank washing machine progresses through complete rotations until it reaches an orientation identical to its starting orientation.

NOTE: For a typical one or two nozzle tank washing machine that rotates in both the horizontal and vertical planes though more slowly in one than the other, a cycle would be at least one rotation in each plane of rotation.

*Dedicated ballast tank* means a tank that is used only for ballast.

*Emergency shutdown station* means a part of the tankship where the required emergency shutdown controls are clustered.

*Flammable* is defined in §30.10–22 of this chapter.

*Forward perpendicular* is defined in §42.13–15(b) of this chapter.

*Hazardous material* means a liquid material or substance that is—

(1) Flammable or combustible;

(2) Designated a hazardous substance under section 311(b) of the Federal Water Pollution Control Act (33 U.S.C. 1321); or

(3) Designated a hazardous material under 49 U.S.C. 5103.

NOTE: The Environmental Protection Agency designates hazardous substances in 40 CFR Table 116.A. The Coast Guard designates hazardous materials that are transported as bulk liquids by water in §153.40.

*High viscosity NLS* includes high viscosity Category B NLS and high viscosity Category C NLS.

*High viscosity Category B NLS* means any Category B NLS having a viscosity of at least 25 mPa.s at 20 °C and at least 25 mPa.s at the time it is unloaded.

*High viscosity Category C NLS* means any Category C NLS having a viscosity of at least 60 mPa.s at 20 °C and at least 60 mPa.s at the time it is unloaded.

*IMO* means the International Maritime Organization (IMO, formerly Inter-Governmental Maritime Consultative Organization or IMCO).

*IMO Bulk Chemical Code* includes the IMO *International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk,* Resolution MEPC 19(22), 1985 and the IMO *Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk,* Resolution MEPC 20(22), 1985.

*IMO Certificate* includes a Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk issued under the IMO *Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk,* Resolution MEPC 20(22), 1985 and an International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk issued under the IMO *International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk,* Resolution MEPC 19(22), 1985.

*Independent,* as applied to a cargo piping, venting, heating or cooling system means that the system is connected to no other system, and has no means available for connection to another system.

*Independent tank* means a cargo tank that is permanently affixed to the vessel, that is self-supporting, that incorporates no part of the vessel's hull and that is not essential to the integrity of the hull.

*Intank cargo pump* means a pump:

(1) Located within the cargo tank it serves; and

(2) Whose piping passes through only the top of the cargo tank.

*Integral tank* means a cargo tank that also is part of or is formed in part by the vessel's hull structure so that the tank and the hull may be stressed by the same loads.

*IOPP Certificate* means an International Oil Pollution Prevention Certificate required under 33 CFR 151.19.

*L* means the length of the vessel and is defined in §42.13–15(a) of this chapter.

*Liquid* means each substance having a vapor pressure of 172 kPa or less at 37.8 °C.

*Marine Inspector* is defined in §30.10–43 of this chapter.

*MARPOL 73/78* means the International Convention for Prevention of Pollution from Ships, 1973 (done at London, November 2, 1973), modified by the Protocol of 1978 relating to the International Convention for Prevention of Pollution from Ships, 1973 (done at London, on February 17, 1978).

*Master* means the person-in-charge of a self-propelled or non-self-propelled ship.

*Mixture* means a mixture containing only the substances described in conjunction with the term.

*Nearest land* has the same meaning as in 33 CFR 151.05(h).

*Noxious liquid substance* (NLS) means—

(1) Each substance listed in 33 CFR 151.47 or 33 CFR 151.49;

(2) Each substance having an ''A,'' ''B,'' ''C,'' or ''D'' beside its name in the column headed ''Pollution Category'' in Table 1; and

(3) Each substance that is identified as an NLS in a written permission issued under §153.900(c).

*NLS Certificate* means an International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk issued under Annex II of MARPOL 73/78.

*Oceangoing* ship has the same meaning as in 33 CFR 151.05(j).

*Officer in Charge, Marine Inspection,* is defined in §1.05(b) of this chapter.

*Open gauging* means an arrangement for gauging the amount of cargo in a tank through a large opening, such as a tank hatch or ullage opening.

*Open venting system* means a venting system that always allows vapor to flow freely to and from the tank.

*Phosphoric acid* means phosphoric acid, superphosphoric acid, and aqueous solutions of phosphoric acid.

*Pressure-vacuum (PV) valve* means a valve that is normally closed and which opens under a preset positive pressure or a vacuum.

*Prewash* means a tank washing operation that meets the procedure in §153.1120.

*Pumproom* means any enclosed space containing a pump that is part of a cargo containment system.

*Reception facility* means anything capable of receiving NLS residues in a country whose Administration is not signatory to MARPOL 73/78 and each adequate reception facility.

*Refrigerated tank* means a cargo tank that is equipped to carry a cargo that must be cooled in order to keep the cargo's vapor pressure from exceeding the tank's pressure-vacuum or safety relief valve setting under ambient conditions of 32° C (approx. 90°F) still water and 46°C (approx. 115°F) still air.

*Relief valve setting* means the inlet line pressure at which a vent system's pressure-vacuum or safety relief valve fully opens.

*Residues and mixtures containing NLSs* (NLS residue) means—

(1) Any Category A, B, C, or D NLS cargo retained on the ship because it fails to meet consignee specifications;

(2) Any part of a Category A, B, C, or D NLS cargo remaining on the ship after NLS is discharged to the consignee, including but not limited to puddles on the tank bottom and in sumps, clingage in the tanks, and substance remaining in the pipes; or

(3) Any material contaminated with a Category A, B, C, or D NLS cargo, including but not limited to bilge slops, ballast, hose drip pan contents, and tank wash water.

*Restricted gauging system* means a method of gauging the amount of cargo in a tank through an opening of limited size that restricts or prevents the release of cargo vapors from the tank vapor space.

*Safety relief (SR) valve* means a normally closed valve that opens under a preset positive pressure.

*Separate* and *separated,* as applied to a cargo piping, venting, heating or cooling system, means either an independent system or one that may be disconnected from all other systems by:

(a) Removing spool pieces or valves and blanking the open pipe ends; or

(b) Blocking each system interconnection with two blind flanges in series and providing a means of detecting leakage into the pipe section between the flanges.

*Service spaces* means spaces outside the cargo area used for galleys, pantries containing cooking appliances, lockers, store rooms, workshops other than those forming part of machinery spaces, and trunks to such spaces.

*Ship* means a vessel of any type whatsoever, including hydrofoils, air-cushion vehicles, submersibles, floating craft whether self-propelled or not, and fixed or floating platforms.

*Slop tanks* include slop tanks and cargo tanks used as slop tanks.

*Solidifying NLS* means a Category A, B, or C NLS that has a melting point—

(1) Greater than 0 °C but less than 15 °C and a temperature, measured under the procedure in §153.908(d), that is less than 5 °C above its melting point at the time it is unloaded; or

(2) 15 °C or greater and has a temperature, measured under the procedure in §153.908(d), that is less than 10 °C above its melting point at the time it is unloaded.

*Solution* means a water solution.

*Special area* means the Baltic Sea Area as defined in 33 CFR 151.13(a)(2) and the Black Sea Area as defined in 33 CFR 151.13(a)(3).

*SR venting system* means a venting system in which an SR valve controls vapor flow from the cargo tank.

*Tankship* has the same meaning as ''ship''.

*Venting system* means a permanent piping arrangement leading from a cargo tank and used to control the flow of vapor to and from the tank.

[CGD 73–96, 42 FR 49027, Sept. 26, 1977, as amended by CGD 78–128, 47 FR 21204, May 17, 1982; CGD 81–052, 50 FR 8732, Mar. 5, 1985; CGD 81–078, 50 FR 21170, May 22, 1985; CGD 81–101, 52 FR 7778, Mar. 12, 1987; CGD 81–101, 53 FR 28974, Aug. 1, 1988; CGD 88–070, 53 FR 34535, Sept. 7, 1988; CGD 81–101, 54 FR 12629, Mar. 28, 1989; CGD 96–041, 61 FR 50732, Sept. 27, 1996; CGD 95–028, 62 FR 51209, Sept. 30, 1997]

EFFECTIVE DATE NOTE: At 62 FR 51209, Sept. 30, 1997, in §153.2, paragraph (3) (but not the Note) in the definition of *Hazardous material* was revised by CGD 95–028, effective Oct. 30, 1997. For the convenience of the user the superseded text is set forth as follows:

**§153.2 Definitions and acronyms.**

* * * * *

*Hazardous material* means a liquid material or substance that is—

* * * * *

(3) Designated a hazardous material under section 104 of the Hazardous Material Transportation Act (HMTA) (49 U.S.C. 1803).

* * * * *

**§153.3 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]