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§ 153.4 Incorporation by reference.

(a) Certain material is 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 that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and make the material 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 at the U.S. Coast Guard, Office of Operating and Environmental Standards (G–MSO), 2100 Second Street SW., Washington, DC 20593–0001 and is available from the sources indicated in paragraph (b) of this section.

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

American National Standards Institute (ANSI)

11 West 42nd Street, New York, NY 10036

ANSI B16.5, Pipe Flanges and Flanged Fittings, 1988 .....153.940

ANSI B16.24, Bronze Pipe Flanges and Flanged Fittings, 1979.....153.940

ANSI B16.31, Non-Ferrous Flanges, 1971.....153.940

American Society for Testing and Materials (ASTM)

100 Barr Harbor Drive, West Conshohocken, PA 19428–2959

ASTM F–1122, Standard Specification for Quick Disconnect Couplings, 1987.....153.940

ASTM F–1271, Standard Specification for Spill Valves for use in Marine Tank Liquid Overpressure Protection Applications, 1989.....153.365

[CGD 88–032, 56 FR 35826, July 29, 1991, as amended by CGD 96–041, 61 FR 50732, Sept. 27, 1996; CGD 97–057, 62 FR 51048, Sept. 30, 1997]

§ 153.7 Ships built before December 27, 1977 and non-self-propelled ships built before July 1, 1983: Application.

(a) *Definitions.*

(1) *Permit* means a Certificate of Inspection, Letter of Compliance, or Certificate of Compliance.

(2) *Existing tankship* means a tankship for which a contract was let on or before December 27, 1977.

(3) *Letter of Compliance* in this section means a letter issued by the Coast Guard before 27 December 1977 which permitted a foreign flag tankship to carry a bulk cargo regulated under this part.

(b) *Endorsements for existing tankships.* (1) The Coast Guard endorses the permit of an existing tankship to carry a cargo listed in Table 1 if:

(i) The tankship held a permit on December 27, 1977, endorsed for the cargo in question;

(ii) The tankship meets the construction standards under which the Coast Guard issued the permit; and

(iii) The tankship meets the standards in paragraph (c) of this section.

(2) The Coast Guard endorses the permit of an existing tankship to carry a cargo listed in Table 1 if:

(i) The tankship held a permit on December 27, 1977;

(ii) The Coast Guard did not require the permit to be endorsed with the name of the cargo at any time before December 27, 1977;

(iii) The tankship meets the construction standards under which the Coast Guard issued the permit;

(iv) The tankship carried the cargo in question; and

(v) The tankship meets the standards in paragraph (c) of this section.

(3) The Coast Guard endorses the permit of an existing tankship to carry a cargo listed in Table 1 if:

(i) The tankship held a permit on December 27, 1977 endorsed to carry class B or C poisons under 46 CFR part 39;

(ii) The cargo in question is a class B or C poison;

(iii) The tankship meets the construction standards in 46 CFR part 39; and

(iv) The tankship meets the standards in paragraph (c) of this section.

(4) The Commandant (G–MSO) considers on a case by case basis endorsing the permit of an existing tankship to carry a cargo listed in Table 1 if:

(i) The tankship does not come within the categories described in paragraphs (b) (1) through (3) of this section;

(ii) The tankship meets paragraph (c) of this section; and

(iii) The tankship meets any additional requirements the Commandant (G–MSO) may prescribe.

(c) An existing tankship must meet all the requirements of this part except as provided in paragraphs (c) (3), (4), (5) and (6) of this section.

(1)–(2) [Reserved]

(3) The Commandant (G–MSO) considers on a case by case basis endorsing as a type II containment system one that fails to meet §§153.231(b), 153.234, 172.130 and 172.133 of this chapter if the tankship and containment system meet the following minimum conditions:

(i) The tankship has a loadline certificate.

(ii) The cargo tank is not part of the tankship's shell plating.

(iii) The distance between the bottom plating of the cargo tank and the bottom shell plating of the tankship is at least 76 cm measured parallel to the vertical axis of the tankship.

(4) The Commandant (G–MSO) considers on a case by case basis endorsing a containment system as a type II containment system if:

(i) The containment system is modified to meet §153.231(b) by adding double bottoms or wing tanks; and

(ii) The tankship can survive the damage described in §§172.135 and 172.150 of this chapter to those parts of the tankship other than machinery spaces.

(5) The Commandant (G–MSO) considers on a case by case basis endorsing as a type III containment system one that does not meet §§153.234, 172.130 and 172.133 of this chapter if the tankship has a load line certificate.

(6) The Commandant (G–MSO) considers on a case by case basis endorsing the tankship to carry cargoes listed in Table 1 of this part if the tankship does not meet §§153.217, 153.219 and 153.254.

(d) Except as required by this paragraph, subpart B of this part does not apply to a non-self-propelled ship that carries an NLS cargo under this part if—

(1) The ship was built before July 1, 1983;

(2) The ship carries no NLS cargo or NLS residue at any time it is in waters of another Administration signatory to MARPOL 73/78;

(3) The NLS does not require a type I containment system;

(4) The ship meets all requirements in parts 30 through 34 and part 151 of this chapter that apply to the cargo;

(5) The ship meets the provisions in §153.216 and §§153.470 through 153.491 applying to the NLS category of that cargo;

(6) When the ''Special Requirements'' column of Table 1 contains an entry for §153.408 or §153.409 beside the cargo name, the ship meets the section, except the system prescribed by the section need be capable of operation only during loading;

(7) [Reserved]

(8) No part of the ship's hull plating is a component of a cargo tank if the cargo tank is endorsed to carry a cargo having a type II containment system in Table 1.

[CGD 73–96, 42 FR 49027, Sept. 26, 1977, as amended by CGD 78–128, 47 FR 21204, May 17, 1982; CGD 82–063b, 48 FR 4781, Feb. 3, 1983; CGD 79–023, 48 FR 51009, Nov. 4, 1983; CGD 81–052, 50 FR 8733, Mar. 5, 1985; CGD 81–101, 52 FR 7779, Mar. 12, 1987; CGD 81–101, 53 FR 28974, Aug. 1, 1988 and 54 FR 12629, Mar. 28, 1989; CGD 95–072, 60 FR 54106, Oct. 19, 1995]

§153.8 Procedures for requesting an endorsed Certificate of Inspection.

(a) When applying for the endorsed Certificate of Inspection that §153.900 requires for a ship to carry a cargo listed in Table 1, the applicant must proceed as follows:

(1) Send a letter to one of the Coast Guard offices listed in §91.55–15 of this chapter that includes—

(i) A request for the endorsed Certificate of Inspection;

(ii) The name of the ship; and

(iii) A list of the cargoes from Table 1 the applicant wishes the endorsement to allow.

(2) Supply to the Coast Guard when requested—

(i) Hull type calculations;

(ii) The plans and information listed in §§54.01–18, 56.01–10, 91.55–5 (a), (b), (d), (g), and (h), and 110.25–1 of this chapter;

(iii) A copy of the Procedures and Arrangements Manual required by §153.490; and

(iv) Any other ship information, including plans, design calculations, test results, certificates, and manufacturer's data, that the Coast Guard needs to determine if the ship meets this part.