both ready to begin transferring product; and
(6) The date and time the transfer operation is completed.
(d) The form for the declaration of inspection may incorporate the declaration-of-inspection requirements under 46 CFR 35.35–30.
(e) The vessel and facility persons in charge shall each have a signed copy of the declaration of inspection available for inspection by the COTP during the transfer operation.
(f) The operators of each vessel and facility engaged in the transfer operation shall retain a signed copy of the declaration of inspection on board the vessel or at the facility for at least 1 month from the date of signature.

§ 156.160 Supervision by person in charge.
(a) No person may connect or disconnect a hose, top off a tank, or engage in any other critical procedures during the transfer operation unless the person in charge, required by §156.120(s), supervises that procedure.
(b) No person may start the flow of oil or hazardous material to or from a vessel unless instructed to do so by either person in charge.
(c) No person may transfer oil or hazardous material to or from a vessel unless each person in charge is in the immediate vicinity and immediately available to the transfer personnel.

§ 156.170 Equipment tests and inspections.
(a) Except as provided in paragraph (d) of this section, no person may use any equipment listed in paragraph (c) of this section for transfer operations unless the vessel or facility operator, as appropriate, tests and inspects the equipment in accordance with paragraphs (b), (c) and (f) of this section and the equipment is in the condition specified in paragraph (c) of this section.
(b) During any test or inspection required by this section, the entire external surface of the hose must be accessible.
(c) For the purpose of paragraph (a) of this section:
(1) Each nonmetallic transfer hose must:
(i) Have no unrepaired loose covers, kinks, bulges, soft spots or any other defect which would permit the discharge of oil or hazardous material through the hose material, and no gouges, cuts or slashes that penetrate the first layer of hose reinforcement as defined in §156.120(i).
(ii) Have no external deterioration and, to the extent internal inspection is possible with both ends of the hose open, no internal deterioration;
(iii) Not burst, bulge, leak, or abnormally distort under static liquid pressure at least 1 1/2 times the maximum allowable working pressure; and
(iv) Hoses not meeting the requirements of paragraph (c)(1)(i) of this section may be acceptable after a static liquid pressure test is successfully completed in the presence of the COTP. The test medium is not required to be water.
(2) Each transfer system relief valve must open at or below the pressure at which it is set to open;
(3) Each pressure gauge must show pressure within 10 percent of the actual pressure;
(4) Each loading arm and each transfer pipe system, including each metallic hose, must not leak under static liquid pressure at least 1 1/2 times the maximum allowable working pressure; and
(5) Each item of remote operating or indicating equipment, such as a remotely operated valve, tank level alarm, or emergency shutdown device, must perform its intended function.
(d) No person may use any hose in underwater service for transfer operations unless the operator of the vessel or facility has tested and inspected it in accordance with paragraph (c)(1) or (c)(4) of this section, as applicable.
(e) The test fluid used for the testing required by this section is limited to liquids that are compatible with the hose tube as recommended by the hose manufacturer.
(f) The frequency of the tests and inspections required by this section must be:
§ 156.200

Subpart B—Special Requirements for Lightering of Oil and Hazardous Material Cargoes

SOURCE: CGD 78-180, 49 FR 11172, Mar. 26, 1984, unless otherwise noted.

§ 156.200 Applicability.

This subpart applies to each vessel to be lightered and each service vessel engaged in a lightering operation in the marine environment beyond the baseline from which the territorial sea is measured when the oil or hazardous material lightered is destined for a port or place subject to the jurisdiction of the U.S. This subpart does not apply to lightering operations involving public vessels, or to the dedicated response vessels and vessels of opportunity in accordance with the National Contingency Plan (40 CFR parts 9 and 300) when conducting response activities. These rules are in addition to the rules of subpart A of this part, as well as the rules in the applicable sections of parts 151, 153, 155, 156, and 157 of this chapter.

Approved by the Office of Management and Budget under control number 1625–0095.

§ 156.205 Definitions.

(a) In addition to the terms defined in this section, the definitions in § 154.105 of this chapter apply to this subpart and to subpart C.

(b) As used in this subpart and subpart C:

Lightering or Lightering operation means the transfer of a cargo of oil or a hazardous material in bulk from one vessel to another, including all phases of the operation from the beginning of the mooring operation to the departure of the service vessel from the vessel to be lightered, except when that cargo is intended only for use as fuel or lubricant aboard the receiving vessel.

Marine environment means—

(1) The navigable waters of the United States;

(2) The waters of an area over which the United States asserts exclusive fishery management authority; and

(3) The waters superadjacent to the Outer Continental Shelf of the United States.

Service vessel means the vessel which receives a cargo of oil or a hazardous

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