

CFR 151.05(j) and that carries noxious liquid substances (NLSs) as defined in §153.2 of this chapter in bulk, including carriage in portable tanks.

**§ 98.31-10 Certificate of inspection and NLS certificate endorsements.**

(a) The Coast Guard issues the endorsed Certificate of Inspection or NLS Certificate required by §98.31-15 for every vessel under this subpart to carry NLSs if the vessel—

(1) Has the Cargo Record Book prescribed in §153.490(a)(1) of this chapter; and

(2) Unless it discharges no NLS residues as defined in §153.2 of this chapter to the sea, meets the requirements in §§153.470 through 153.491 of this chapter.

(b) Each vessel under this subpart that does not meet the requirements in §§153.470 through 153.491 of this chapter must have a statement on its Certificate of Inspection or NLS Certificate stating that the vessel is prohibited from discharging NLS residues to the sea.

**§ 98.31-15 Operating requirements.**

No person may operate a vessel that carries a bulk liquid cargo of NLS unless the vessel—

(a) Has on board a Certificate of Inspection and, if it is a vessel making a foreign voyage, an NLS Certificate endorsed under §98.31-10 with the name of the NLS cargo;

(b) Discharges no NLS residues to the sea unless the vessel meets—

(1) The equipment requirements in §98.31-10(a)(2); and

(2) The operating requirements prescribed for oceangoing ships carrying NLSs in §§153.901, 153.903, 153.909, and 153.1100 through 153.1132 of this chapter.

**Subpart 98.33—Portable Tanks for Certain Grade E Combustible Liquids and Other Regulated Materials**

SOURCE: CGD 84-043, 55 FR 37412, Sept. 11, 1990, unless otherwise noted.

**§ 98.33-1 Applicability.**

(a) This subpart contains regulations concerning transfer of certain low-haz-

ard materials to and from portable tanks on vessels

(b) This subpart applies to the following portable tanks:

(1) A DOT-specification 57 portable tank (see 49 CFR 173.24, 173.32, 178.251, and 178.253);

NOTE TO PARAGRAPH (b)(1): Copies of Specifications 178.251 and 178.253 may be obtained from the Commandant (CG-ENG-5).

(2) A portable tank authorized under 49 CFR 176.340(b); and

(3) A portable tank approved by the Commandant under subpart 50.20 of this chapter.

[CGD 84-043, 55 FR 37412, Sept. 11, 1990; 56 FR 13598, Apr. 3, 1991, as amended by CGD 97-057, 62 FR 51046, Sept. 30, 1997; USCG-2012-0832, 77 FR 59780, Oct. 1, 2012]

**§ 98.33-3 Cargoes authorized.**

The following cargoes are authorized for transfer to and from portable tanks authorized by §98.33-5:

(a) Grade E combustible liquids that have a closed-cup flashpoint of 300 °F or higher and that meet the definition of no DOT hazard class in 49 CFR part 173;

(b) Any environmentally hazardous substance, liquid N.O.S., Class 9, listed in table 1 of appendix A of 49 CFR 172.101, and any aqueous solution of an environmentally hazardous substance, solid, N.O.S., Class 9, listed in that table, that meets the definition of “Hazardous substance” in 49 CFR 171.8.

(c) Other cargoes subject to regulation under 49 CFR parts 171 through 176 when authorized in writing by the Commandant. Requests for such authorization must be submitted as prescribed in §153.900(d)(1) of this chapter.

[CGD 84-043, 55 FR 37412, Sept. 11, 1990, as amended by CGD 97-057, 62 FR 51046, Sept. 30, 1997]

**§ 98.33-5 Portable tanks authorized.**

The cargoes authorized under §98.33-3 may be transferred to and from portable tanks to which this subpart applies if the portable tanks have:

(a) A minimum design pressure of 9 psig.

(b) Pressure-relief devices that may be frangible pressure-relief devices

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(rupture disks), and that do not open at less than 3 psig.

[CGD 84-043, 55 FR 37412, Sept. 11, 1990; 55 FR 47477, Nov. 14, 1990]

### § 98.33-7 Pipe and hose connections.

If a portable tank authorized under § 98.33-5 of this part has a pipe or hose connection in its bottom, the connection must have a manually operated valve and a bolted flange, threaded cap, or similar device, to protect against leakage of the tank's contents.

### § 98.33-9 Stowage.

Each portable tank authorized under § 98.33-5 of this part must be secured to the vessel by devices of sufficient strength and number to prevent the tank from moving in any direction during transport.

### § 98.33-11 Smoking.

No person may smoke when—

(a) Within 50 feet of a portable tank containing a combustible liquid; and

(b) On the deck where the tank is stowed.

### § 98.33-13 Cargo-handling systems.

A cargo authorized under § 98.33-3 of this part may not be transferred to or from a portable tank authorized under § 98.33-5 of this part unless the cargo-handling system meets the requirements of subpart F of part 64 of this chapter.

### § 98.33-15 Transfers.

A cargo authorized under § 98.33-3 of this part may not be transferred to or from a portable tank authorized under § 98.33-5 of this part unless the following requirements are met:

(a) *Cargo pumps* comply with § 98.30-11 of this part;

(b) *Ground connection* complies with § 98.30-13 of this part;

(c) *Leakage containment* complies with § 98.30-15 of this part;

(d) *Qualification of person in charge* complies with § 98.30-17 of this part;

(e) *Supervision of person in charge* complies with § 98.30-19 of this part;

(f) *Transfers, general*, comply with § 98.30-23 of this part;

(g) *Connections* comply with § 98.30-27 of this part;

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(h) Pumping of incompatible products complies with § 98.30-29 of this part;

(i) Conditions for pumping comply with § 98.30-31 of this part; and

(j) *Carriage of NLSs* complies with § 98.30-14 of this part.

[CGD 84-043, 55 FR 37412, Sept. 11, 1990; 55 FR 47477, Nov. 14, 1990]

## PART 105—COMMERCIAL FISHING VESSELS DISPENSING PETROLEUM PRODUCTS

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