

for final approval. The local COTP will evaluate and comment on the waiver before forwarding the waiver request, via the District to the Commandant (CG-54) for final approval.

(e) Your request must include the reason why you are unable to meet the time requirements. It must also include how you intend to correct the shortfall, the time it will take to do so, and what arrangements have been made to provide the required response resources and their estimated response times.

(f) Commandant, Director of Prevention Policy (CG-54), will only approve waiver requests up to a specified time period, depending on the service addressed in the waiver request, the operating environment, and other relevant factors. These time periods are listed in Table 155.4055(g).

(g) Table 155.4055(g) lists the service waiver time periods.

TABLE 155.4055(g)—SERVICE WAIVER TIME PERIODS

Service	Maximum waiver time period (years)
(1) Remote salvage assessment & consultation ...	0
(2) Remote firefighting assessment & consultation	0
(3) On-site salvage & firefighting assessment .....	1
(4) Hull and bottom survey .....	2
(5) Salvage stabilization services .....	3
(6) Fire suppression services .....	4
(7) Specialized salvage operations .....	5

(h) You must submit your waiver request 30 days prior to any plan submission deadlines identified in this or any other subpart of part 155 in order for your vessel to continue oil transport or transfer operations.

**Subpart J—Nontank Vessel Response Plans**

SOURCE: USCG-2013-0070, 78 FR 60124, Sept. 30, 2013, unless otherwise noted.

**§ 155.5010 Purpose.**

The purpose of this subpart is to establish requirements for oil spill response plans for nontank vessels. The planning criteria in this subpart are intended for use in nontank vessel oil spill response plan development and the identification of resources nec-

essary to respond to a nontank vessel's worst case discharge or substantial threat of such a discharge. The development of a nontank vessel response plan prepares the vessel's crew and ship management to respond to an oil spill. The specific criteria for response resources and their arrival times are not performance standards. They are planning criteria based upon a set of assumptions that may not exist during an actual oil spill incident. Note to § 155.5010: For nontank vessels that are mobile offshore drilling units (MODUs), additional oil spill planning standards are found in 30 CFR part 254.

**§ 155.5012 Deviation from response plan.**

The owner or operator of a nontank vessel required to have a vessel response plan (VRP) under this subpart may not deviate from the approved VRP unless the President or Federal On-Scene Coordinator determines that the deviation from the VRP would provide for a more expeditious or effective response to the spill or mitigation of its environmental effects.

**§ 155.5015 Applicability.**

(a) Except as provided in paragraph (d) of this section, this subpart applies to each self-propelled vessel that—

- (1) Carries oil of any kind as fuel for main propulsion;
- (2) Is not a tank vessel or is not certificated as a tank vessel;
- (3) Operates upon the navigable waters of the United States, as defined in 46 U.S.C. 2101(17a); and
- (4) Is 400 gross tons or more as measured under the convention measurement system in 46 U.S.C. 14302 or the regulatory measurement system of 46 U.S.C. 14502 for vessels not measured under 46 U.S.C. 14302.

(b) This subpart also applies to vessels carrying oil as secondary cargo and that meet the requirements of paragraph (a) of this section.

(c) For Integrated Tug Barge (ITB) units that are not certificated as tank vessels, the tonnage used to determine applicability of these regulations is the aggregate tonnage of the ITB combination, and the oil capacity used to determine the worst case discharge volume