

**§ 154.325**

**33 CFR Ch. I (7-1-18 Edition)**

(2) If the COTP finds that there is a condition requiring immediate action to prevent the discharge or risk of discharge of oil or hazardous material that makes the procedure in paragraph (a)(1) of this section impractical or contrary to the public interest, the COTP may issue an amendment effective on the date the facility operator receives notice of it. In such a case, the COTP shall include a brief statement of the reasons for the findings in the notice. The owner or operator may petition the Commandant to review the amendment, but the petition does not delay the amendment.

(b) The facility operator may propose amendments to the operations manual by:

(1) Submitting any proposed amendment and reasons for the amendment to the COTP not less than 30 days before the requested effective date of the proposed amendment; or

(2) If an immediate amendment is needed, requesting the COTP to approve the amendment immediately.

(c) The COTP shall respond to proposed amendments submitted under paragraph (b) of this section by:

(1) Approving or disapproving the proposed amendments;

(2) Advising the facility operator whether the request is approved, in writing, before the requested date of the amendments;

(3) Including any reasons in the written response if the request is disapproved; and

(4) If the request is made under paragraph (b)(2) of this section immediately approving or rejecting the request.

(d) Amendments to personnel and telephone number lists required by § 154.310(a)(7) of this part do not require examination by the COTP, but the COTP must be advised of such amendments as they occur.

[CGD 75-124, 45 FR 7171, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36253, Sept. 4, 1990; CGD 93-056, 61 FR 41459, Aug. 8, 1996]

**§ 154.325 Operations manual: Procedures for examination.**

(a) The operator of a facility shall submit two copies of the Operations Manual to the Captain of the Port of the zone in which the facility is located.

(b) Not less than 60 days prior to any transfer operation, the operator of a new facility shall submit, with the letter of intent, two copies of the Operations Manual to the Captain of the Port of the zone in which the facility is located.

(c) After a facility is removed from caretaker status, not less than 30 days prior to any transfer operation the operator of that facility shall submit two copies of the Operations Manual to the COTP of the zone in which the facility is located unless the manual has been previously examined and no changes have been made since the examination.

(d) If the COTP finds that the Operations Manual meets the requirements of this part and part 156 of this chapter, the COTP will return one copy of the manual to the operator marked "Examined by the Coast Guard".

(e) If the COTP finds that the Operations Manual does not meet the requirements of this part and/or part 156 of this chapter, the COTP will return the manuals with an explanation of why it does not meet the requirements of this chapter.

(f) No person may use any Operations Manual for transfer operations as required by this chapter unless the Operations Manual has been examined by the COTP.

(g) The Operations Manual is voided if the facility operator—

(1) Amends the Operations Manual without following the procedures in § 154.320 of this part;

(2) Fails to amend the Operations Manual when required by the COTP; or

(3) Notifies the COTP in writing that the facility will be placed in caretaker status.

[CGD 93-056, 61 FR 41459, Aug. 8, 1996]

**Subpart C—Equipment Requirements**

**§ 154.500 Hose assemblies.**

Each hose assembly used for transferring oil or hazardous material must meet the following requirements:

(a) The minimum design burst pressure for each hose assembly must be at least four times the sum of the pressure of the relief valve setting (or four times the maximum pump pressure

when no relief valve is installed) plus the static head pressure of the transfer system, at the point where the hose is installed.

(b) The maximum allowable working pressure (MAWP) for each hose assembly must be more than the sum of the pressure of the relief valve setting (or the maximum pump pressure when no relief valve is installed) plus the static head pressure of the transfer system, at the point where the hose is installed.

(c) Each nonmetallic hose must be usable for oil or hazardous material service.

(d) Each hose assembly must either have—

(1) Full threaded connections;

(2) Flanges that meet ANSI B16.5 or ANSI B16.24 (both incorporated by reference, see 33 CFR 154.106); or

(3) Quick-disconnect couplings that meet ASTM F1122 (incorporated by reference, see 33 CFR 154.106).

(e) Each hose must be marked with one of the following:

(1) The name of each product for which the hose may be used; or

(2) For oil products, the words “OIL SERVICE”; or

(3) For hazardous materials, the words “HAZMAT SERVICE—SEE LIST” followed immediately by a letter, number or other symbol that corresponds to a list or chart contained in the facility’s operations manual or the vessel’s transfer procedure documents which identifies the products that may be transferred through a hose bearing that symbol.

(f) Each hose also must be marked with the following, except that the information required by paragraphs (f)(2) and (3) of this section need not be marked on the hose if it is recorded in the hose records of the vessel or facility, and the hose is marked to identify it with that information:

(1) Maximum allowable working pressure;

(2) Date of manufacture; and

(3) Date of the latest test required by 33 CFR 156.170.

(g) The hose burst pressure and the pressure used for the test required by 33 CFR 156.170 must not be marked on the hose and must be recorded else-

where at the facility as described in paragraph (f) of this section.

(h) Each hose used to transfer fuel to a vessel that has a fill pipe for which containment cannot practically be provided must be equipped with an automatic back pressure shutoff nozzle.

[USCG–1999–5150, 78 FR 42617, July 16, 2013]

#### § 154.510 Loading arms.

(a) Each mechanical loading arm used for transferring oil or hazardous material and placed into service after June 30, 1973, must meet the design, fabrication, material, inspection, and testing requirements in ANSI B31.3 (incorporated by reference; see § 154.106).

(b) The manufacturer’s certification that the standard in paragraph (a) of this section has been met must be permanently marked on the loading arm or recorded elsewhere at the facility with the loading arm marked to identify it with that information.

(c) Each mechanical loading arm used for transferring oil or hazardous material must have a means of being drained or closed before being disconnected after transfer operations are completed.

[CGD 75–124, 45 FR 7172, Jan. 31, 1980, as amended by CGD 86–034, 55 FR 36253, Sept. 4, 1990; USCG–2001–8661, 74 FR 45022, Aug. 31, 2009]

#### § 154.520 Closure devices.

(a) Except as provided in paragraph (b) of this section, each facility to which this part applies must have enough butterfly valves, wafer-type resilient seated valves, blank flanges, or other means acceptable to the COTP to blank off the ends of each hose or loading arm that is not connected for the transfer of oil or hazardous material. Such hoses and/or loading arms must be blanked off during the transfer of oil or hazardous material. A suitable material in the joints and couplings shall be installed on each end of the hose assembly or loading arm not being used for transfer to ensure a leak-free seal.

(b) A new, unused hose, and a hose that has been cleaned and is gas free, is exempt from the requirements of paragraph (a) of this section.

[CGD 93–056, 61 FR 41459, Aug. 8, 1996]

**§ 154.525**

**33 CFR Ch. I (7-1-18 Edition)**

**§ 154.525 Monitoring devices.**

The COTP may require the facility to install monitoring devices if the installation of monitoring devices at the facility would significantly limit the size of a discharge of oil or hazardous material and either:

- (a) The environmental sensitivity of the area requires added protection;
- (b) The products transferred at the facility pose a significant threat to the environment; or
- (c) The size or complexity of the transfer operation poses a significant potential for a discharge of oil or hazardous material.

[CGD 75-124, 45 FR 7172, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36253, Sept. 4, 1990]

**§ 154.530 Small discharge containment.**

(a) Except as provided in paragraphs (c), (d), and (e) of this section, each facility to which this part applies must have fixed catchments, curbing, or other fixed means to contain oil or hazardous material discharged in at least—

- (1) Each hose handling and loading arm area (that area on the facility that is within the area traversed by the free end of the hose or loading arm when moved from its normal stowed or idle position into a position for connection);
- (2) Each hose connection manifold area; and
- (3) Under each hose connection that will be coupled or uncoupled as part of the transfer operation during coupling, uncoupling, and transfer.

(b) The discharge containment means required by paragraph (a) of this section must have a capacity of at least:

- (1) Two barrels if it serves one or more hoses of 6-inch inside diameter or smaller, or loading arms of 6-inch nominal pipe size diameter or smaller;
- (2) Three barrels if it serves one or more hoses with an inside diameter of more than 6-inches, but less than 12 inches, or loading arms with a nominal pipe size diameter of more than 6 inches, but less than 12 inches; or
- (3) Four barrels if it serves one or more hoses of 12-inch inside diameter or larger, or loading arms of 12-inch nominal pipe size diameter or larger.

(c) The facility may use portable means of not less than ½ barrel capacity each to meet the requirements of paragraph (a) of this section for part or all of the facility if the COTP finds that fixed means to contain oil or hazardous material discharges are not feasible.

(d) A mobile facility may have portable means of not less than five gallons capacity to meet the requirements of paragraph (a) of this section.

(e) Fixed or portable containment may be used to meet the requirements of paragraph (a)(3) of this section.

[CGD 75-124, 45 FR 7172, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36253, Sept. 4, 1990; CGD 93-056, 61 FR 41460, Aug. 8, 1996]

**§ 154.540 Discharge removal.**

Each facility to which this part applies must have a means to safely remove discharged oil or hazardous material, within one hour of completion of the transfer, from the containment required by §154.530 of this part without discharging the oil or hazardous material into the water.

[CGD 93-056, 61 FR 41460, Aug. 8, 1996]

**§ 154.545 Discharge containment equipment.**

(a) Each facility must have ready access to enough containment material and equipment to contain any oil or hazardous material discharged on the water from operations at that facility.

(b) For the purpose of this section, “access” may be by direct ownership, joint ownership, cooperative venture, or contractual agreement.

(c) Each facility must establish time limits, subject to approval by the COTP, for deployment of the containment material and equipment required by paragraph (a) of this section considering:

- (1) Oil or hazardous material handling rates;
  - (2) Oil or hazardous material capacity susceptible to being spilled;
  - (3) Frequency of facility operations;
  - (4) Tidal and current conditions;
  - (5) Facility age and configuration; and
  - (6) Past record of discharges.
- (d) The COTP may require a facility to surround each vessel conducting an

oil or hazardous material transfer operation with containment material before commencing a transfer operation if—

(1) The environmental sensitivity of the area requires the added protection;

(2) The products transferred at the facility pose a significant threat to the environment;

(3) The past record of discharges at the facility is poor; or

(4) The size or complexity of the transfer operation poses a significant potential for a discharge of oil or hazardous material; and

(5) The use of vessel containment provides the only practical means to reduce the extent of environmental damage.

(e) Equipment and procedures maintained to satisfy the provisions of this chapter may be utilized in the planning requirements of subpart F and subpart H of this part.

[CGD 75-124, 45 FR 7172, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36253, Sept. 4, 1990; CGD 93-056, 61 FR 41460, Aug. 8, 1996; USCG-1999-5149, 65 FR 40825, June 30, 2000]

#### § 154.550 Emergency shutdown.

(a) The facility must have an emergency means to enable the person in charge of the transfer on board the vessel, at that person's usual operating station, to stop the flow of oil or hazardous material from the facility to the vessel. The means must be—

(1) An electrical, pneumatic, or mechanical linkage to the facility; or

(2) An electronic voice communications system continuously operated by a person on the facility who can stop the flow of oil or hazardous material immediately.

(b) The point in the transfer system at which the emergency means stops the flow of oil or hazardous material on the facility must be located near the dock manifold connection to minimize the loss of oil or hazardous material in the event of the rupture or failure of the hose, loading arm, or manifold valve.

(c) For oil transfers, the means used to stop the flow under paragraph (a) of this section must stop that flow within—

(1) 60 seconds on any facility or portion of a facility that first transferred oil on or before November 1, 1980; and

(2) 30 seconds on any facility that first transfers oil after November 1, 1980.

(d) For hazardous material transfers, the means used to stop the flow under paragraph (a) of this section must stop that flow within—

(1) 60 seconds on any facility or portion of a facility that first transferred hazardous material before October 4, 1990; and

(2) 30 seconds on any facility that first transfers hazardous material on or after October 4, 1990.

[CGD 86-034, 55 FR 36253, Sept. 4, 1990]

#### § 154.560 Communications.

(a) Each facility must have a means that enables continuous two-way voice communication between the person in charge of the vessel transfer operation and the person in charge of the facility transfer operation.

(b) Each facility must have a means, which may be the communications system itself, that enables a person on board a vessel or on the facility to effectively indicate the desire to use the means of communication required by paragraph (a) of this section.

(c) The means required by paragraph (a) of this section must be usable and effective in all phases of the transfer operation and all conditions of weather at the facility.

(d) A facility may use the system in § 154.550(a)(2) to meet the requirement of paragraph (a) of this section.

(e) Portable radio devices used to comply with paragraph (a) of this section during the transfer of flammable or combustible liquids must be marked as intrinsically safe by the manufacturer of the device and certified as intrinsically safe by a national testing laboratory or other certification organization approved by the Commandant as defined in 46 CFR 111.105-11. As an alternative to the marking requirement, facility operators may maintain documentation at the facility certifying that the portable radio devices in

## § 154.570

use at the facility are in compliance with this section.

[CGD 75-124, 45 FR 7172, Jan. 31, 1980; 45 FR 43705, June 30, 1980, as amended by CGD 93-056, 61 FR 41460, Aug. 8, 1996]

### § 154.570 Lighting.

(a) Except as provided in paragraph (c) of this section, for operations between sunset and sunrise, a facility must have fixed lighting that adequately illuminates:

(1) Each transfer connection point on the facility;

(2) Each transfer connection point in use on any barge moored at the facility to or from which oil or hazardous material is being transferred;

(3) Each transfer operations work area on the facility; and

(4) Each transfer operation work area on any barge moored at the facility to or from which oil or hazardous material is being transferred.

(b) Where the illumination is apparently inadequate, the COTP may require verification by instrument of the levels of illumination. On a horizontal plane 3 feet above the barge deck or walking surface, illumination must measure at least:

(1) 5.0 foot candles at transfer connection points; and

(2) 1.0 foot candle in transfer operations work areas.

(c) For small or remote facilities, the COTP may authorize operations with an adequate level of illumination provided by the vessel or by portable means.

(d) Lighting must be located or shielded so as not to mislead or otherwise interfere with navigation on the adjacent waterways.

[CGD 75-124, 45 FR 7172, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36253, Sept. 4, 1990]

## Subpart D—Facility Operations

### § 154.700 General.

No person may operate a facility unless the equipment, personnel, and operating procedures of that facility meet the requirements of this part.

[CGD 75-124, 45 FR 7173, Jan. 31, 1980]

## 33 CFR Ch. I (7-1-18 Edition)

### § 154.710 Persons in charge: Designation and qualification.

No person may serve, and the facility operator may not use the services of a person, as person in charge of facility transfer operations unless:

(a) The facility operator has designated that person as a person in charge;

(b) The person has had at least 48 hours of experience in transfer operations at a facility in operations to which this part applies. The person also has enough experience at the facility for which qualification is desired to enable the facility operator to determine that the person's experience is adequate;

(c) The person has completed a training and qualification program established by the facility operator and described in the Operations Manual in accordance with § 154.310(a)(21), that provides the person with the knowledge and training necessary to properly operate the transfer equipment at the facility, perform the duties described in paragraph (d) of this section, follow the procedures required by this part, and fulfill the duties required of a person in charge during an emergency, except that the COTP may approve alternative experience and training requirements for new facilities; and

(d) The facility operator must certify that each person in charge has the knowledge of, and skills necessary to—

(1) The hazards of each product to be transferred;

(2) The rules in this part and in part 156 of this chapter;

(3) The facility operating procedures as described in the operations manual;

(4) Vessel transfer systems, in general;

(5) Vessel transfer control systems, in general;

(6) Each facility transfer control system to be used;

(7) Follow local discharge reporting procedures; and

(8) Carry out the facility's response plan for discharge reporting and containment.

(e) Training conducted to comply with the hazard communication programs required by the Occupational Safety and Health Administration (OSHA) of the Department of Labor