

## Coast Guard, DHS

## § 153.4

series and providing a means of detecting leakage into the pipe section between the flanges.

*Service spaces* means spaces outside the cargo area used for galleys, pantries containing cooking appliances, lockers, store rooms, workshops other than those forming part of machinery spaces, and trunks to such spaces.

*Ship* means a vessel of any type whatsoever, including hydrofoils, air-cushion vehicles, submersibles, floating craft whether self-propelled or not, and fixed or floating platforms.

*Slop tanks* include slop tanks and cargo tanks used as slop tanks.

*Solidifying NLS* means a Category A, B, or C NLS that has a melting point—

(1) Greater than 0 °C but less than 15 °C and a temperature, measured under the procedure in §153.908(d), that is less than 5 °C above its melting point at the time it is unloaded; or

(2) 15 °C or greater and has a temperature, measured under the procedure in §153.908(d), that is less than 10 °C above its melting point at the time it is unloaded.

*Solution* means a water solution.

*Special area* means the Baltic Sea Area as defined in 33 CFR 151.13(a)(2) and the Black Sea Area as defined in 33 CFR 151.13(a)(3).

*SR venting system* means a venting system in which an SR valve controls vapor flow from the cargo tank.

*Tankship* has the same meaning as “ship”.

*Venting system* means a permanent piping arrangement leading from a cargo tank and used to control the flow of vapor to and from the tank.

[CGD 73-96, 42 FR 49027, Sept. 26, 1977]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §153.2, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.govinfo.gov](http://www.govinfo.gov).

### § 153.3 Right of appeal.

Any person directly affected by a decision or action taken under this part, by or on behalf of the Coast Guard,

may appeal therefrom in accordance with subpart 1.03 of this chapter.

[CGD 88-033, 54 FR 50381, Dec. 6, 1989]

### § 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 Coast Guard Headquarters. Contact Commandant (CG-ENG), Attn: Office of Design and Engineering Systems, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7509; or contact the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/code-of-federal-regulations/ibr-locations.html>. All material is available from the sources indicated in paragraph (b) of this section.

(b) American National Standards Institute (ANSI), 25 West 43rd Street, 4th Floor, New York, NY 10036, <http://www.ansi.org>.

(1) ANSI B16.5, Pipe Flanges and Flanged Fittings, 1988, incorporation by reference approved for §153.940.

(2) ANSI B16.24, Bronze Pipe Flanges and Flanged Fittings, 1979, incorporation by reference approved for §153.940.

(3) ANSI B16.31, Non-Ferrous Flanges, 1971, incorporation by reference approved for §153.940.

(c) American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, 877-909-2786, <http://www.astm.org>.

(1) ASTM F 1122-87 (1992), Standard Specification for Quick Disconnect Couplings, incorporation by reference approved for §153.940.

(2) ASTM F1271-90 (Reapproved 2012), Standard Specification for Spill Valves

for Use in Marine Tank Liquid Overpressure Protections Applications (approved May 1, 2012), incorporation by reference approved for § 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; USCG–1999–5151, 64 FR 67183, Dec. 1, 1999; 69 FR 18803, Apr. 9, 2004; USCG–2012–0832, 77 FR 59784, Oct. 1, 2012; USCG–2012–0866, 78 FR 13251, Feb. 27, 2013; USCG–2013–0671, 78 FR 60155, Sept. 30, 2013]

**§ 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 (CG–ENG) 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 (CG–ENG) 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 (CG–ENG) 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 (CG–ENG) 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 (CG–ENG) considers on a case by case basis endorsing