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as a type III containment system one that does not meet §§153.234, 172.130 and 172.133 of this chapter if the tankship has a load line certificate.

(6) The Commandant (CG–ENG) considers on a case by case basis endorsing the tankship to carry cargoes listed in Table 1 of this part if the tankship does not meet §§153.217, 153.219 and 153.254.

(d) Except as required by this paragraph, subpart B of this part does not apply to a non-self-propelled ship that carries an NLS cargo under this part if—

(1) The ship was built before July 1, 1983;

(2) The ship carries no NLS cargo or NLS residue at any time it is in waters of another Administration signatory to MARPOL 73/78;

(3) The NLS does not require a type I containment system;

(4) The ship meets all requirements in parts 30 through 34 and part 151 of this chapter that apply to the cargo;

(5) The ship meets the provisions in §153.216 and §§153.470 through 153.491 applying to the NLS category of that cargo;

(6) When the ''Special Requirements'' column of Table 1 contains an entry for §153.408 or §153.409 beside the cargo name, the ship meets the section, except the system prescribed by the section need be capable of operation only during loading;

(7) [Reserved]

(8) No part of the ship's hull plating is a component of a cargo tank if the cargo tank is endorsed to carry a cargo having a type II containment system in Table 1.

[CGD 73–96, 42 FR 49027, Sept. 26, 1977, as amended by CGD 78–128, 47 FR 21204, May 17, 1982; CGD 82–063b, 48 FR 4781, Feb. 3, 1983; CGD 79–023, 48 FR 51009, Nov. 4, 1983; CGD 81–052, 50 FR 8733, Mar. 5, 1985; CGD 81–101, 52 FR 7779, Mar. 12, 1987; CGD 81–101, 53 FR 28974, Aug. 1, 1988 and 54 FR 12629, Mar. 28, 1989; CGD 95–072, 60 FR 54106, Oct. 19, 1995]

§153.8 Procedures for requesting an endorsed Certificate of Inspection.

(a) When applying for the endorsed Certificate of Inspection that §153.900 requires for a ship to carry a cargo listed in Table 1, the applicant must proceed as follows:

(1) Send a letter to one of the Coast Guard offices listed in §91.55–15 of this chapter that includes—

(i) A request for the endorsed Certificate of Inspection;

(ii) The name of the ship; and

(iii) A list of the cargoes from Table 1 the applicant wishes the endorsement to allow.

(2) Supply to the Coast Guard when requested—

(i) Hull type calculations;

(ii) The plans and information listed in §§54.01–18, 56.01–10, 91.55–5 (a), (b), (d), (g), and (h), and 110.25–1 of this chapter;

(iii) A copy of the Procedures and Arrangements Manual required by §153.490; and

(iv) Any other ship information, including plans, design calculations, test results, certificates, and manufacturer's data, that the Coast Guard needs to determine if the ship meets this part.

(b) The Coast Guard notifies the applicant in writing—

(1) Whether any further information is necessary to evaluate the request for the endorsed Certificate of Inspection; and

(2) Of the outcome of the request for the endorsed Certificate of Inspection.

(c) The Coast Guard returns the Procedures and Arrangements Manual stamped ''Approved'' or indicating what corrections are necessary.

NOTE: The procedures for requesting an IOPP Certificate are found in 33 CFR Part 151.

[CGD 81–101, 52 FR 7779, Mar. 12, 1987]

§153.9 Foreign flag vessel endorsement application.

(a) *Application for a vessel whose flag administration is signatory to MARPOL 73/78 and issues IMO Certificates.* A person who desires a Certificate of Compliance endorsed to carry a cargo in table 1 of this part, as described in §153.900 of this part, must request the endorsement from the cognizant Officer in Charge, Marine Inspection and have aboard the vessel copies of IMO Certificates issued by the vessel's administration and—

(1) An additional classification society statement that the vessel complies with §153.530 (b), (d), and (p)(1) if a person desires a Certificate of Compliance

endorsed with the name of an alkylene oxide; and

(2) An additional classification society statement that the vessel complies with §§153.370, 153.371, and 153.438 if a person desires a Certificate of Compliance endorsed with the name of a cargo whose vapor pressure exceeds 100 kPa absolute at 37.8 °C (approximately 14.7 psia at 100 °F).

(b) *Application for a vessel whose flag administration does not issue IMO Certificates.* A person who desires a Certificate of Compliance endorsed with the name of a cargo in Table 1 of this part, as described in §153.900, must submit an application, in a written or electronic format, to Commanding Officer (MSC), Attn: Marine Safety Center, U.S. Coast Guard Stop 7430, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593–7430, that includes the following information:

(1) A copy of the vessel's Cargo Ship Safety Construction Certificate and Cargo Ship Safety Equipment Certificate issued under the International Convention for Safety of Life at Sea, 1974.

(2) A list of those cargoes for which the Letter of Compliance is to be endorsed.

(3) The specific tanks that are to be endorsed for each cargo.

(4) The names of the U.S. ports in which the person anticipates operating the vessel.

(5) The name of the vessel's flag administration.

(6) The name of the society that classes the vessel.

(7) A brief description of the vessel's cargo containment systems.

(8) Hull type calculations.

(9) The plans and information listed in §§54.01–18, 56.01–10, 91.55–5 (a), (b), (d), (g), and (h), and 111.05–5(d) of this chapter.

(c) *Conditions applying to all Certificate of Compliance applications.* (1) If requested by the Commanding Officer, U.S. Coast Guard Marine Safety Center, a person desiring a Certificate of Compliance for a vessel must furnish any other vessel information such as plans, design calculations, test results, certificates, and manufacturer's data, that the Coast Guard needs to determine that the vessel meets the standards of this part.

(2) Correspondence with the Coast Guard and vessel information submitted under this part must be in English except IMO Certificates which may be in French.

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

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §153.9, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.govinfo.gov*.

§153.10 Procedures for requesting alternatives and waivers; termination of waivers.

(a) The Coast Guard considers allowing the use of an alternative in place of a requirement in this part if—

(1) The person wishing to use the alternative sends a written application to the Commandant (CG–ENG) explaining—

(i) The requirement in this part that would not be met and the reason why;

(ii) The alternative the person proposes to be substituted; and

(iii) How the alternative would ensure a level of safety and pollution protection at least equal to that of the requirement for which the alternative would substitute;

(2) The alternative does not substitute an operational standard for a design or equipment standard; and

(3) The Commandant (CG–ENG) determines that the alternative provides a level of protection for purposes of safety and pollution at least equal to the requirement in this part.

(b) The Coast Guard considers granting a waiver of a requirement for which this part allows a waiver if the person wishing the waiver sends a written application to the Commandant (CG–ENG) that includes—

(1) A citation of the regulation that allows the waiver; and

(2) Any information and pledges that the regulation requires to be submitted with the application for the waiver.

(c) The Commandant notifies the applicant in writing—

(1) Whether any further information is necessary to evaluate the request for an alternative or waiver; and

(2) Of the outcome of the request for an alternative or waiver.