

(c) If an electric light is designed for use with dry cell batteries the label must advise the consumer on the battery replacement schedule which under normal conditions would maintain performance requirements of § 161.013-3.

§ 161.013-17 Manufacturer notification.

Each manufacturer certifying lights in accordance with the specifications of this subpart must send written notice to the 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 within 30 days after first certifying them, and send a new notice every five years thereafter as long as it certifies lights.

[CGD 76-183a, 44 FR 73054, Dec. 17, 1979, as amended by CGD 88-070, 53 FR 34536, Sept. 7, 1988; CGD 95-072, 60 FR 50467, Sept. 29, 1995; CGD 96-041, 61 FR 50733, Sept. 27, 1996; USCG-2013-0671, 78 FR 60160, Sept. 30, 2013]

EFFECTIVE DATE NOTE: Amendments to § 161.013-17 were published at 89 FR 76704, Sept. 18, 2024, effective Oct. 18, 2024.

PART 162—ENGINEERING EQUIPMENT

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- 162.060-14 Information requirements for the ballast water management system (BWMS) application.
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- 162.161-4 Construction.
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- 162.161-6 Tests for approval.
- 162.161-7 Inspections at production.
- 162.161-8 Marking.
- 162.161-9 Procedure for approval.

Subpart 162.163—Portable Foam Applicators

- 162.163-1 Scope.
- 162.163-2 Incorporation by reference.
- 162.163-3 Performance, design, construction, testing, and marking requirements.
- 162.163-4 Approval procedures.

AUTHORITY: 33 U.S.C. 1321(j), 1903; 46 U.S.C. 3306, 3703, 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; DHS Delegation No. 00170.1, Revision No. 01.3.

EDITORIAL NOTE: Nomenclature changes to part 162 appear by USCG-2012-0832, 77 FR 59787, Oct. 1, 2012.

EFFECTIVE DATE NOTE: Amendments to part 162 were published at 89 FR 76704, Sept. 18, 2024, effective Oct. 18, 2024.

Subpart 162.017—General Provisions; Valves, Pressure-Vacuum Relief, for Tank Vessels

SOURCE: CGFR 50-9, 15 FR 1680, Mar. 25, 1950, unless otherwise noted.

§ 162.017-0 Preemptive effect.

The regulations in this part have preemptive effect over State or local regulations in the same field.

[89 FR 76704, Sept. 18, 2024]

EFFECTIVE DATE NOTE: At 89 FR 76704, Sept. 18, 2024, §162.017-0 was added, effective Oct. 18, 2024.

§ 162.017-1 Preemptive effect; incorporation by reference.

(a) The regulations in this part have preemptive effect over State or local regulations in the same field.

(b) Certain material is incorporated by reference into this subchapter with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the 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. The material is also available from the source listed in paragraph (c) of this section. It is also available for inspection at 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.

(c) International Organization for Standardization (ISO), Case postal 56,

CH-1211 Geneva 20, Switzerland, telephone + 41 22 749 01 11, *www.iso.org*.

(1) ISO 15364, Ships and Marine Technology—Pressure/Vacuum Valves for Cargo Tanks, First Edition (Sep. 1, 2000), (“ISO 15364”), IBR approved for § 162.017-3.

[USCG-2006-24797, 77 FR 33886, June 7, 2012, as amended by USCG-2013-0671, 78 FR 60160, Sept. 30, 2013]

EFFECTIVE DATE NOTE: Amendments to § 162.017-1 were published at 89 FR 76704, Sept. 18, 2024, effective Oct. 18, 2024.

§ 162.017-2 Type.

This specification covers the design and construction of pressure-vacuum relief valves intended for use in venting systems on all tank vessels transporting inflammable or combustible liquids.

[56 FR 35827, July 29, 1991]

EFFECTIVE DATE NOTE: Amendments to § 162.017-2 were published at 89 FR 76704, Sept. 18, 2024, effective Oct. 18, 2024.

§ 162.017-3 Materials, construction, and workmanship.

(a) The valves shall be of substantial construction and first class workmanship and shall be free from imperfections which may affect its serviceability.

(b) Bodies of pressure-vacuum relief valves must be made of bronze or such corrosion-resistant material as may be approved by the Commanding Officer, USCG Marine Safety Center.

(c) Valve discs, spindles, and seats shall be made of bronze or such corrosion-resistant material as may be approved by the Commanding Officer, USCG Marine Safety Center.

(d) Where springs are employed to actuate the valve discs, the springs shall be made of corrosion-resistant material. Springs plated with corrosion-resistant material are not acceptable.

(e) Flame screens shall be made of corrosion-resistant wire.

(f) Nonmetallic materials will not be permitted in the construction of the valves, except bushings used in way of moving parts and gaskets may be made of nonmetallic material resistant to attack by the product carried. Nonmetallic diaphragms will be allowed where diaphragm failure will not result

in unrestricted flow of cargo vapors to the atmosphere nor in an increase in the pressure or vacuum at which the valve normally releases.

(g) The design and construction of the valves shall permit overhauling and repairs without removal from the line.

(h) Valve discs shall be guided by a ribbed cage or other suitable means to prevent binding, and to insure proper seating. Where valve stems are guided by bushings suitably designed to prevent binding and to insure proper seating, the valves need not be fitted with ribbed cages.

(i) The disc shall close tight against the valve seat by metal to metal contact, however, resilient seating seals may be provided if the design is such that the disc closes tight against the seat in case the seals are destroyed or in case they carry away.

(j) Pressure-vacuum relief valves for venting cargo tanks shall be of not less than 2½ inches nominal pipe size.

(k) Bodies of valves shall be designed to withstand a hydrostatic pressure of at least 125 pounds per square inch without rupturing or showing permanent distortion.

(l) The valve discs may be solid or made hollow so that weight material may be added to vary the lifting pressure. If hollow discs are employed, a watertight bolted cover shall be fitted to encase the weight material. The pressure at which the discs open shall not exceed 120 percent of the set pressure.

(m) The free area through the valve seats at maximum lift shall not be less than the cross-sectional area of the valve inlet connection.

(n) Double flame screens of 20 × 20 corrosion-resistant wire mesh with a ½-inch corrosion-resistant separator on a single screen of 30 × 30 corrosion-resistant wire mesh shall be fitted on all openings to atmosphere. The net free area through the flame screens shall not be less than 1½ times the cross-sectional area of the vent inlet from the cargo tanks.

(o) Valve bodies may have screwed or flanged pipe connections, or such types of connections as may be approved by the Commanding Officer, USCG Marine Safety Center. If flanged, the thickness

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and drilling shall comply with USA standards for 150-pound bronze flanged fittings.

(p) Where design of valve does not permit complete drainage of condensate to attached cargo tank or vent line, the valve body shall be fitted with a plugged drain opening on the side of the atmospheric outlet of not less than ½ inch pipe size.

(q) Relief pressure adjusting mechanisms shall be permanently secured by means of lockwires, locknuts, or other acceptable means.

(r) Pressure-vacuum relief valves constructed in accordance with ISO 15364 (incorporated by reference; see 46 CFR 162.017-1) meet the requirements of this subpart.

[CGFR 50-9, 15 FR 1680, Mar. 25, 1950, as amended by CGFR 68-82, 33 FR 18907, Dec. 18, 1968; CGD 88-032, 56 FR 35827, July 29, 1991; CGD 95-072, 60 FR 50467, Sept. 29, 1995; CGD 96-041, 61 FR 50734, Sept. 27, 1996; USCG-2001-10224, 66 FR 48620, Sept. 21, 2001; USCG-2003-16630, 73 FR 65202, Oct. 31, 2008]

EFFECTIVE DATE NOTE: Amendments to §162.017-3 were published at 89 FR 76704, Sept. 18, 2024, effective Oct. 18, 2024.

§ 162.017-4 Inspections and testing.

Pressure-vacuum relief valves may be inspected and tested at the plant of the manufacturer. An inspector may conduct such tests and examinations as may be necessary to determine compliance with this specification.

[56 FR 35827, July 29, 1991]

§ 162.017-5 Marking.

(a) Each valve shall be legibly marked with the style, type or other designation of the manufacturer, the size, pressure and vacuum setting and name or registered trademark of the manufacturer and Coast Guard approval number. The minimum wording for showing the approval number shall be “USCG/162.017/* **” or “USCG 162.017-* **”.

(b) [Reserved]

[CGFR 68-82, 33 FR 18908, Dec. 18, 1968, as amended by USCG-2001-10224, 66 FR 48620, Sept. 21, 2001]

* **Number to be assigned by the Commanding Officer, USCG Marine Safety Center.

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§ 162.017-6 Procedure for approval.

(a) *General.* Pressure-vacuum relief valves intended for use on tank vessels must be approved for such use by the Commanding Officer, U.S. Coast Guard Marine Safety Center. Applications for approval may be delivered by visitors to the Commanding Officer, Marine Safety Center, U.S. Coast Guard, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593, or transmitted by mail 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, in a written or electronic format. Information for electronic submittals can be found at <https://www.uscg.mil/HQ/MSC>.

(b) *Drawings and specifications.* Manufacturers desiring approval of a new design or type of pressure-vacuum relief valve shall submit drawings in quadruplicate showing the design of the valve, the sizes for which approval is requested, method of operation, thickness and material specification of component parts, diameter of seat opening and lift of discs, mesh and size of wire of flame screens.

(c) *Pre-approval tests.* Before approval is granted, the manufacturer shall have tests conducted, or submit evidence that such tests have been conducted, by the Underwriters' Laboratories, the Factory Mutual Laboratories, or by a properly supervised and inspected test laboratory acceptable to the Commandant (CG-ENG), relative to determining the lift, relieving pressure and vacuum, and flow capacity of a representative sample of the pressure-vacuum relief valve in each size for which approval is desired. Test reports including flow capacity curves must be submitted to the Commanding Officer, USCG Marine Safety Center.

[56 FR 35827, July 29, 1991, as amended by CGD 95-072, 60 FR 50467, Sept. 29, 1995; CGD 96-041, 61 FR 50734, Sept. 27, 1996; USCG-2001-10224, 66 FR 48620, Sept. 21, 2001; USCG-2004-18884, 69 FR 58350, Sept. 30, 2004; USCG-2007-29018, 72 FR 53967, Sept. 21, 2007; USCG-2009-0702, 74 FR 49238, Sept. 25, 2009; USCG-2013-0671, 78 FR 60160, Sept. 30, 2013; USCG-2016-0498, 82 FR 35092, July 28, 2017; USCG-2022-0323, 88 FR 10031, Feb. 16, 2023]

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EFFECTIVE DATE NOTE: Amendments to § 162.017-6 were published at 89 FR 76704, Sept. 18, 2024, effective Oct. 18, 2024.

Subpart 162.018—Safety Relief Valves, Liquefied Compressed Gas

§ 162.018-1 Applicable specifications, and referenced material.

(a) There are no other specifications applicable to this subpart except as noted in this subpart.

(b) The following referenced material from industry standards of the issue in effect on the date safety relief valves are manufactured shall form a part of the regulations of this subpart (see §§ 2.-75-17 through 2.75-19 of Subchapter A (Procedures Applicable to the Public) and Subpart 50.15 of Subchapter F (Marine Engineering) of this chapter):

(1) ASME (American Society of Mechanical Engineers) Code (see § 50.-15-5 of subchapter F (Marine Engineering) of this chapter): The following paragraph from section VIII of the ASME Code:

(i) UG-131, flow rating of valves, see § 162.018-7(a).

(2) CGA (Compressed Gas Association) standard: The following standard of the Compressed Gas Association (see § 50.15-20(a) of Subchapter F (Marine Engineering) of this chapter):

(i) S-1.2.5.2, Flow test data for safety and relief valves for use on pressure vessels, see § 162.018-7(a).

(c) A copy of this specification and the referenced material listed in this section, if used, shall be kept on file by the manufacturer, together with the approved plans, specifications, and certificate of approval. It is the manufacturer's responsibility to have the latest issue, including addenda and changes, of the referenced material on hand when manufacturing equipment under this subpart.

(1) The ASME Code may be obtained from the American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, N.Y. 10017.

(2) The CGA standard may be obtained from the Compressed Gas Association,

500 Fifth Avenue, New York, N.Y. 10036.

[CGFR 68-82, 33 FR 18908, Dec. 18, 1968]

§ 162.018-2 Scope.

(a) This specification covers requirements for the design, construction and testing of safety relief valves intended for use on unfired pressure vessels containing liquefied compressed gases installed on merchant vessels subject to inspection by the Coast Guard.

(b) [Reserved]

[CGFR 52-43, 17 FR 9540, Oct. 18, 1952]

§ 162.018-3 Materials.

(a) The materials used in the manufacture of safety relief valves shall conform to the applicable requirements of subchapter F (Marine Engineering) of this chapter, except as otherwise specified in this subpart, and shall be resistant to the corrosive or other action of the liquefied compressed gas in the liquid or gas phase.

(b) All pressure containing external parts of valves must be constructed of materials melting above 1700 °F. for liquefied flammable gas service. Consideration of lower melting materials for internal pressure-containing parts will be given if their use provides significant improvement to the general operation of the valve. Flange gaskets shall be metal or spiral wound asbestos.

(c) Nonferrous materials shall not be used in the construction of valves for anhydrous ammonia or other service where susceptible to attack by the lading.

(d) The seats and disks shall be of suitable corrosion resistant material. Seats and disks of cast iron or malleable iron shall not be used. Springs shall be of best quality spring steel consistent with the design of the valve and the service requirement.

[CGFR 52-43, 17 FR 9540, Oct. 18, 1952, as amended by CGFR 68-82, 33 FR 18908, Dec. 18, 1968; CGD 72-206R, 38 FR 17230, June 29, 1973]

§ 162.018-4 Construction and workmanship.

(a) Safety relief valves shall be of either the internal or external spring-loaded type, suitable for the intended service.

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(b) Safety relief valve body, base, bonnet and internals shall be designed for a pressure of not less than the set-pressure of the valve.

(c) All safety relief valves shall be so constructed that the failure of any part cannot obstruct the free and full discharge of vapors from the valve.

(d) The nominal size of a safety relief valve shall be the inside diameter of the inlet opening to the individual valve disk. No safety relief valve shall be smaller than 3/4 inch nor larger than 6 inches. Safety relief valves shall have flanged or welded end inlet connections and either flanged or screwed outlet connections, except outlets exceeding 4 inches in diameter shall be flanged.

(e) Safety relief valves shall be of the angle or straight-through type, fitted with side or top outlet discharge connections.

(f)(1) Springs shall not show a permanent set exceeding 1 percent of their free length 10 minutes after being released from a cold compression test closing the spring solid.

(2) Springs may not be re-set for any pressure more than 10 percent above or 10 percent below that for which the valve is marked.

(3) If the operating conditions of a valve are changed so as to require a new spring under paragraph (f)(2) of this section for a different pressure, the valve shall be adjusted by the manufacturer or his authorized representative.

(g) The design and construction of safety relief valves shall permit easy access for inspection and repair.

(h) Safety relief valves shall be tapped for not less than 1/4 inch pipe size drain at the lowest practicable point where liquid can collect.

[CGFR 52-43, 17 FR 9540, Oct. 18, 1952]

§ 162.018-5 Blow-down adjustment and popping tolerance.

(a) Safety relief valves shall be so constructed that no shocks detrimental to the valve or pressure vessel are produced when lifting or closing. Safety relief valves shall be designed to open sharply and reach full lift and capacity at the maximum accumulation. Valve closure after popping shall be clean and sharp. Safety relief valves shall operate satisfactorily without

wiredrawing and chattering at any stage of operation.

(b) Safety relief valves having adjustable blow-down construction shall be adjusted to close after blowing down not more than 5 percent of the set pressure. Valves shall be adjusted to pop within a tolerance of plus or minus 3 percent of the set pressure, except that for pressures of 70 p.s.i. and below, the tolerance in popping pressure shall not vary more than plus or minus 2 p.s.i.

[CGFR 52-43, 17 FR 9541, Oct. 18, 1952, as amended by USCG-2014-0688, 79 FR 58286, Sept. 29, 2014]

§ 162.018-6 Marking.

(a) Each safety relief valve shall be plainly marked by the manufacturer with the required data in such a way that the marking will not be obliterated in service. The marking may be stamped on the valve or stamped or cast on a plate securely fastened to the valve. The marking shall include the following data:

(1) The name or identifying trademark of the manufacturer.

(2) Manufacturer's design or type number.

(3) Size ___ inches. (The pipe size of the valve inlet).

(4) Set pressure ___ p.s.i.

(5) Rated capacity ___ cubic feet per minute of the gas or vapor (at 60 °F. and 14.7 p.s.i.a.).

(6) Coast Guard approval number. The minimum wording for showing approval shall be "USCG 162.018/* *" or "USCG 162.018-* *".

(b) [Reserved]

[CGFR 68-82, 33 FR 18908, Dec. 18, 1968, as amended by USCG-2001-10224, 66 FR 48620, Sept. 21, 2001]

§ 162.018-7 Flow rating tests.

(a) Flow rating of valves shall be conducted in accordance with UG-131 of section VIII of the ASME Code, S-1.2.5.2 of the Compressed Gas Association Standards, or other procedure approved by the Commanding Officer, USCG Marine Safety Center.

* *Number to be assigned by the Commanding Officer, USCG Marine Safety Center.

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(b) [Reserved]

[CGFR 68-82, 33 FR 18908, Dec. 18, 1968, as amended by USCG-2001-10224, 66 FR 48620, Sept. 21, 2001]

§ 162.018-8 Procedure for approval.

(a) *General.* Safety relief valves for use on pressure vessels containing liquefied compressed gases must be approved by the Commanding Officer, U.S. Coast Guard Marine Safety Center. Applications for approval may be delivered by visitors to the Commanding Officer, Marine Safety Center, U.S. Coast Guard, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593, or transmitted by mail 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, in a written or electronic format. Information for electronic submittals can be found at <https://www.uscg.mil/HQ/MSC>.

(b) *Plan submittal.* Manufacturers desiring to secure approval of a new design or type of safety relief valve shall submit in quadruplicate detail drawings showing the valve construction, and material specifications of the component parts. In the event the design is changed, amended drawings shall be submitted to the Commanding Officer, USCG Marine Safety Center, for re-approval.

(c) *Pre-approval tests.* (1) Prior to approval of safety relief valves by the Commanding Officer, USCG Marine Safety Center, manufacturers shall have capacity certification tests conducted, in accordance with §162.018-7 or submit satisfactory evidence that such tests have been conducted and approved by The National Board of Boiler and Pressure Vessel Inspectors or by a properly supervised and inspected test laboratory acceptable to the Commanding Officer, USCG Marine Safety Center.

(2) Reports of conducted tests on designs of safety relief valves different from those previously approved shall be submitted by the manufacturer

when requesting approval for different designs.

[CGFR 52-43, 17 FR 9540, Oct. 18, 1952, as amended by CGFR 68-82, 33 FR 18908, Dec. 18, 1968; CGD 88-070, 53 FR 34536, Sept. 7, 1982; CGD 96-041, 61 FR 50734, Sept. 27, 1996; USCG-2001-10224, 66 FR 48620, Sept. 21, 2001; USCG-2007-29018, 72 FR 53967, Sept. 21, 2007; USCG-2009-0702, 74 FR 49238, Sept. 25, 2009; USCG-2013-0671, 78 FR 60160, Sept. 30, 2013; USCG-2016-0498, 82 FR 35092, July 28, 2017; USCG-2022-0323, 88 FR 10032, Feb. 16, 2023]

Subpart 162.027—Combination Firehose Nozzles

SOURCE: CGD 95-027, 61 FR 26009, May 23, 1996, unless otherwise noted.

§ 162.027-1 Scope.

This subpart prescribes requirements for approval of combination firehose nozzles.

[USCG-2012-0196, 81 FR 48277, July 22, 2016]

§ 162.027-2 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish a notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the U.S. Coast Guard, Office of Design and Engineering Standards (CG-ENG), 2703 Martin Luther King Jr. Avenue SE., Stop 7509, Washington, DC 20593-7509, and is available from the sources listed below. It is also available for inspection at 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>.

(b) ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, 877-909-2786, <http://www.astm.org>.

(1) ASTM F1546/F1546 M-96 (Re-approved 2012), Standard Specification for Fire Hose Nozzles, approved May 1, 2012, (“ASTM F 1546”), IBR approved

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for §§162.027-3(a) through (c), and 162.027-4(a) and (d).

(2) [Reserved]

(c) National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02169, 617-770-3000, <http://www.nfpa.org>.

(1) NFPA 1964 Standard for Spray Nozzles, 2008 Edition, effective December 31, 2007, IBR approved for §§162.027-3(a) through (c), and 162.027-4(a) and (d).

(2) [Reserved]

[USCG-2012-0196, 81 FR 48277, July 22, 2016]

§ 162.027-3 Design, construction, testing, and marking requirements.

(a) Each combination solid stream and water spray firehose nozzle required to be approved under the provisions of this subpart must be of brass or bronze, except for hardware and other incidental parts, which may be of rubber, plastic, or stainless steel, and designed, constructed, tested, and marked in accordance with the requirements of ASTM F 1546 or NFPA 1964 (incorporated by reference, see §162.027-2).

(b) All inspections and tests required by ASTM F 1546 or NFPA 1964 must be performed by an independent laboratory accepted by the Coast Guard under subpart 159.010 of this chapter. A list of independent laboratories accepted by the Coast Guard as meeting subpart 159.010 of this chapter may be obtained by contacting the Commandant (CG-ENG-4).

(c) The independent laboratory must prepare a report on the results of the testing and must furnish the manufacturer with a copy of the test report upon completion of the testing required by ASTM F 1546 or NFPA 1964.

[USCG-2012-0196, 81 FR 48277, July 22, 2016]

§ 162.027-4 Approval procedures.

(a) Firehose nozzles designed, constructed, tested, and marked in accordance with ASTM F 1546 or NFPA 1964 (incorporated by reference, see §162.027-2) are considered to be approved under the provisions of this chapter.

(b) Firehose nozzles designed, constructed, tested and marked in accordance with the provisions of this sub-

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part in effect prior to June 24, 1996, are considered to be approved under the provisions of this chapter.

(c) A follow-up program must be established and maintained to ensure that no unauthorized changes have been made to the design or manufacture of type approved firehose nozzles. Acceptable follow-up programs include factory inspection programs administered by the accepted independent laboratory that performed the initial inspections and tests relied on by the type approval holder, or special configuration control programs implemented through a quality control flow chart and core procedures administered by the manufacturer and certified by an international standards agency such as the International Organization for Standardization (ISO).

(d) Applicants seeking type approval of firehose nozzles must submit:

(1) A cover letter requesting type approval of the equipment;

(2) A test report from the accepted independent laboratory showing compliance of the firehose nozzle with ASTM F 1546 or NFPA 1964;

(3) A copy of the contract for a follow-up program with the accepted independent laboratory or evidence of an ISO 9001 certified special configuration control program or similar program implemented through a quality control flow chart and core procedure; and

(4) Documentation of the firehose nozzle, including an exterior drawing, assembly drawing, components list, and bill of material.

(e) All documentation must be either mailed to Commandant (CG-ENG-4), United States Coast Guard, 2703 Martin Luther King Jr. Avenue SE., Stop 7509, Washington, DC 20593-7509 or electronically submitted to typeapproval@uscg.mil.

(f) Upon evaluation of the submittal package and approval by the Commandant, a Coast Guard Certificate of Approval will be issued valid for 5 years so long as the follow-up program for the firehose nozzle is maintained.

(g) Upon application, a Certificate of Approval for a firehose nozzle may be renewed for successive 5-year periods without further testing so long as no changes have been made to the products, the follow-up program has been

maintained, and no substitutions of or changes to the standards listed in § 162.027-2 have been made.

[CGD 95-027, 61 FR 26009, May 23, 1996, as amended by USCG-1999-5151, 64 FR 67185, Dec. 1, 1999. Redesignated and amended by USCG-2012-0196, 81 FR 48277, July 22, 2016]

Subpart 162.028—Extinguishers, Fire, Portable, Marine Type

SOURCE: CGFR 60-36, 25 FR 10640, Nov. 5, 1960, unless otherwise noted.

§ 162.028-1 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish a notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the U.S. Coast Guard, Office of Design and Engineering Standards (CG-ENG), 2703 Martin Luther King Jr. Avenue SE., Stop 7509, Washington, DC 20593-7509, and is available from the sources listed below. It is also available for inspection at 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.

(b) National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02169, 617-770-3000, <http://www.nfpa.org>.

(1) NFPA 10, Standard for Portable Fire Extinguishers, 2010 Edition, effective December 5, 2009, IBR approved for § 162.028-2(a).

(2) [Reserved]

(c) UL (formerly Underwriters Laboratories), 12 Laboratory Drive, P.O. Box 13995, Research Triangle Park, NC 27709, 919-549-1400, <http://www.ul.com>.

(1) UL 8, Standard for Safety for Water Based Agent Fire Extinguishers, Sixth Edition, dated February 28, 2005, as amended through July 27, 2010, IBR approved for § 162.028-3(a).

(2) UL 154, Standard for Safety for Carbon-Dioxide Fire Extinguishers,

Ninth Edition, dated February 28, 2005, as amended through November 8, 2010, IBR approved for § 162.028-3(a).

(3) UL 299, Standard for Safety for Dry Chemical Fire Extinguishers, Eleventh Edition, dated April 13, 2012, IBR approved for § 162.028-3(a).

(4) UL 626, Standard for Safety for Water Fire Extinguishers, Eighth Edition, dated February 28, 2005, as amended through November 8, 2010, IBR approved for § 162.028-3(a).

(5) UL 711, Standard for Safety for Rating and Fire Testing of Fire Extinguishers, Seventh Edition, dated December 17, 2004, as amended through April 28, 2009, IBR approved for § 162.028-2(a) and 162.028-3(a).

(6) UL 2129, Standard for Safety for Halocarbon Clean Agent Fire Extinguishers, Second Edition, dated February 28, 2005, as amended through March 30, 2012, IBR approved for § 162.028-3(a).

[USCG-2012-0196, 81 FR 48277, July 22, 2016]

§ 162.028-2 Classification.

(a) Portable and semi-portable extinguishers must be marked with a combined number and letter designation. The letter designates the general class of fire for which the extinguisher is suitable as identified in NFPA 10 (incorporated by reference, see § 162.028-1). The number indicates the relative extinguishing potential of the device as rated by UL 711 (incorporated by reference, see § 162.028-1).

(b) [Reserved]

[CGFR 60-36, 25 FR 10640, Nov. 5, 1960, as amended by USCG-2012-0196, 81 FR 48278, July 22, 2016]

§ 162.028-3 Requirements.

(a) In addition to the requirements of this subpart, every portable fire extinguisher must be tested and listed for marine use by a recognized laboratory as defined in 46 CFR 159.001-3, and must comply with the following standards (incorporated by reference, see § 162.028-1), as appropriate:

- (1) UL 8;
- (2) UL 154;
- (3) UL 299;
- (4) UL 626;
- (5) UL 711; and
- (6) UL 2129.

(b) Every portable fire extinguisher must be self-contained; when charged, it must not require any additional source of extinguishing agent or expellant energy for its operation during the time it is being discharged. It must weigh no more than 50 pounds when fully charged.

(c) Every portable fire extinguisher must be supplied with a suitable bracket which will hold the extinguisher securely in its stowage location on vessels or boats, and which is arranged to provide quick and positive release of the extinguisher for immediate use. During vibration testing, the extinguisher must be tested in the marine bracket.

(d) Every portable extinguisher may be additionally examined and tested to establish its reliability and effectiveness in accordance with the intent of this specification for a “marine type” portable fire extinguisher when considered necessary by the Coast Guard or by the recognized laboratory.

[USCG-2012-0196, 81 FR 48278, July 22, 2016]

§ 162.028-4 Marine type label.

(a) In addition to all other markings, every portable extinguisher must bear a label containing the Coast Guard approval number, thus: “Marine Type USCG Type Approval No. 162.028/____.”

(b) All such labels are to be obtained only from the recognized laboratory and will remain under its control until attached to product found acceptable under its inspection and labeling program.

[CGFR 60-36, 25 FR 10640, Nov. 5, 1960, as amended by CGFR 64-19, 29 FR 7360, June 5, 1964; USCG-2012-0196, 81 FR 48278, July 22, 2016]

§ 162.028-5 Recognized laboratories.

A list of recognized independent laboratories that can perform approval tests of portable fire extinguishers is available from the Commandant and online at <http://cgmix.uscg.mil>.

[USCG-2012-0196, 81 FR 48278, July 22, 2016]

§ 162.028-6 Examinations, tests, and inspections.

(a) Full examinations, tests, and inspections to determine the suitability of a product for listing and labeling,

and to determine conformance of labeled product to the applicable requirements are conducted by the recognized laboratory. Whenever any work is being done on components or the assembly of such product, the manufacturer shall notify the recognized laboratory in order that an inspector may be assigned to the factory to conduct such examinations, inspections, and tests as to satisfy himself that the quality assurance program of the manufacturer is satisfactory, and that the labeled product is in conformance with the applicable requirements.

(b) Manufacturers of listed or labeled marine type portable fire extinguishers shall maintain quality control of the materials used, manufacturing methods, and the finished product so as to meet the applicable requirements, and shall make sufficient inspections and tests of representative samples of the extinguishers and various components produced to maintain the quality of the finished product. Records of tests conducted by the manufacturer shall be made available to the laboratory inspector or to the merchant marine inspector, or both, for review upon request.

(c) Follow-up check tests, examinations, and inspections of product listed and labeled as a “marine type” portable fire extinguisher acceptable to the Commandant as approved for use on merchant vessels and motorboats may be conducted by the Coast Guard, as well as by the recognized laboratory.

(d) The laboratory inspector, or the Coast Guard marine inspector assigned by the Commander of the District in which the factory is located, or both, shall be admitted to any place in the factory where work is being done on listed or labeled product, and either or both inspectors may take samples of parts or materials entering into construction, or final assemblies, for further examinations, inspections or tests. The manufacturer shall provide a suitable place and the apparatus necessary for the performance of the tests which are done at the place of manufacture.

§ 162.028-7 Procedure for listing and labeling.

(a) Manufacturers having models of extinguishers they believe are suitable for marine service may make application for listing and labeling of such product as a “marine-type” portable fire extinguisher by addressing a request directly to a recognized laboratory. The laboratory will inform the submitter as to the requirements for inspection, examinations, and testing necessary for such listing and labeling. All costs in connection with the examinations, tests, inspections, listing, and labeling are payable by the manufacturer.

(b) [Reserved]

[USCG-2012-0196, 81 FR 48278, July 22, 2016]

§ 162.028-8 Termination of listing or labeling.

(a) Listing or labeling as a marine type portable fire extinguisher acceptable to the Commandant as approved for use on inspected vessels and motorboats, may be terminated, withdrawn, cancelled, or suspended by written notice to the recognized laboratory from the Commandant, or by written notice to the manufacturer from the recognized laboratory or from the Commandant, under the following conditions:

- (1) When the manufacturer does not desire to retain the service.
- (2) When the listed product is no longer being manufactured.
- (3) When the manufacturer’s own program does not provide suitable assurance of the quality of the listed or labeled product being manufactured.
- (4) When the product manufactured no longer conforms to the current applicable requirements.
- (5) When service experience or laboratory or U.S. Coast Guard reports indicate a product is unsatisfactory.

(b) [Reserved]

[CGFR 60-36, 25 FR 10640, Nov. 5, 1960, as amended by CGD 72-214R, 38 FR 6880, Mar. 14, 1973]

Subpart 162.039—Extinguishers, Fire, Semi-portable, Marine Type

SOURCE: CGFR 65-9, 30 FR 11487, Sept. 8, 1965, unless otherwise noted.

§ 162.039-1 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish a notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the U.S. Coast Guard, Office of Design and Engineering Standards (CG-ENG), 2703 Martin Luther King Jr. Avenue SE., Stop 7509, Washington, DC 20593-7509, and is available from the sources listed below. It is also available for inspection at 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>.

(b) National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02169, 617-770-3000, <http://www.nfpa.org>.

(1) NFPA 10, Standard for Portable Fire Extinguishers, 2010 Edition, effective December 5, 2009, IBR approved for § 162.039-2(a).

(2) [Reserved]

(c) UL (formerly Underwriters Laboratories), 12 Laboratory Drive, P.O. Box 13995, Research Triangle Park, NC 27709, 919-549-1400, <http://www.ul.com>.

(1) UL 8, Standard for Safety for Water Based Agent Fire Extinguishers, Sixth Edition, dated February 28, 2005, as amended through July 27, 2010, IBR approved for § 162.039-3(a).

(2) UL 154, Standard for Safety for Carbon-Dioxide Fire Extinguishers, Ninth Edition, dated February 28, 2005, as amended through November 8, 2010, IBR approved for § 162.039-3(a).

(3) UL 299, Standard for Safety for Dry Chemical Fire Extinguishers, Eleventh Edition, dated April 13, 2012, IBR approved for § 162.039-3(a).

(4) UL 626, Standard for Safety for Water Fire Extinguishers, Eighth Edition, dated February 28, 2005, as amended through November 8, 2010, IBR approved for § 162.039-3(a).

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(5) UL 711, Standard for Safety for Rating and Fire Testing of Fire Extinguishers, Seventh Edition, dated December 17, 2004, as amended through April 28, 2009, IBR approved for §§ 162.039-2(a) and 162.039-3(a).

(6) UL 2129, Standard for Safety for Halocarbon Clean Agent Fire Extinguishers, Second Edition, dated February 28, 2005, as amended through March 30, 2012, IBR approved for § 162.039-3(a).

[USCG-2012-0196, 81 FR 48278, July 22, 2016]

§ 162.039-2 Classification.

(a) Portable and semi-portable extinguishers must be marked with a combined number and letter designation. The letter designates the general class of fire for which the extinguisher is suitable as identified in NFPA 10 (incorporated by reference, see § 162.039-1). The number indicates the relative extinguishing potential of the device as rated by UL 711 (incorporated by reference, see § 162.039-1).

(b) [Reserved]

[CGFR 65-9, 30 FR 11487, Sept. 8, 1965, as amended by USCG-2012-0196, 81 FR 48279, July 22, 2016]

§ 162.039-3 Requirements.

(a) In addition to the requirements of this subpart, every semi-portable fire extinguisher must be tested and listed for marine use by a recognized laboratory as defined in 46 CFR 159.001-3, and must comply with the following standards (incorporated by reference, see § 162.039-1), as appropriate:

- (1) UL 8;
- (2) UL 154;
- (3) UL 299;
- (4) UL 626;
- (5) UL 711; and
- (6) UL 2129.

(b) Every semi-portable fire extinguisher must be self-contained; when charged, it must not require any additional source of extinguishing agent or expellant energy for its operation during the time it is being discharged. It must weigh more than 50 pounds, when fully charged.

(c) Every semi-portable fire extinguisher must be supplied with a suitable bracket which will hold the extinguisher securely in its stowage loca-

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tion on vessels or boats, and which is arranged to provide quick and positive release of the extinguisher for immediate use.

(d) Every semi-portable extinguisher may be additionally examined and tested to establish its reliability and effectiveness in accordance with the intent of this specification for a “marine type” semi-portable fire extinguisher when considered necessary by the Coast Guard or by the recognized laboratory.

[USCG-2012-0196, 81 FR 48279, July 22, 2016]

§ 162.039-4 Marine type label.

(a) In addition to all other markings, every semi-portable extinguisher must bear a label containing the “marine type” listing manifest issued by a recognized laboratory. This label will include the Coast Guard approval number, thus: “Marine Type USCG Type Approval No. 162.039/_____.”

(b) All such labels are to be obtained only from the recognized laboratory and will remain under its control until attached to a product found acceptable under its inspection and labeling program.

[USCG-2012-0196, 81 FR 48279, July 22, 2016]

§ 162.039-5 Recognized laboratories.

(a) A list of recognized independent laboratories that can perform approval tests of semi-portable fire extinguishers is available from the Commandant and online at <http://cgmix.uscg.mil>.

(b) [Reserved]

[USCG-2012-0196, 81 FR 48279, July 22, 2016]

§ 162.039-6 Examinations, tests, and inspections.

(a) Full examinations, tests, and inspections to determine the suitability of a product for listing and labeling, and to determine conformance of labeled product to the applicable requirements are conducted by the recognized laboratory. Whenever any work is being done on components or the assembly of such product, the manufacturer shall notify the recognized laboratory in order that an inspector may be assigned to the factory to conduct such examinations, inspections, and tests as to satisfy himself that the

quality assurance program of the manufacturer is satisfactory, and that the labeled product is in conformance with the applicable requirements.

(b) Manufacturers of listed or labeled marine type semiportable fire extinguishers shall maintain quality control of the materials used, manufacturing methods, and the finished product so as to meet the applicable requirements, and shall make sufficient inspections and tests of representative samples of the extinguishers and various components produced to maintain the quality of the finished product. Records of tests conducted by the manufacturer shall be made available to the laboratory inspector or to the Coast Guard marine inspector, or both, for review upon request.

(c) Followup check tests, examinations, and inspections of product listed and labeled as a “marine type” semiportable fire extinguisher acceptable to the Commandant as approved for use on merchant vessels and motorboats may be conducted by the Coast Guard, as well as by the recognized laboratory.

(d) The laboratory inspector, or the Coast Guard merchant marine inspector assigned by the Commander of the District in which the factory is located, or both, shall be admitted to any place in the factory where work is being done on listed or labeled product, and either or both inspectors may take samples of parts or materials entering into construction, of final assemblies, for further examinations, inspections, or tests. The manufacturer shall provide a suitable place and the apparatus necessary for the performance of the tests which are done at the place of manufacture.

§ 162.039-7 Procedure for listing and labeling.

(a) Manufacturers having models of extinguishers they believe are suitable for marine service may make application for listing and labeling of such product as a “marine type” semi-portable fire extinguisher by addressing a request directly to a recognized laboratory. The laboratory will inform the submitter as to the requirements for inspections, examinations, and testing necessary for such listing and labeling.

All costs in connection with the examinations, tests, and inspections, listings and labelings are payable by the manufacturer.

(b) [Reserved]

[CGFR 65-9, 30 FR 11487, Sept. 8, 1965, as amended by USCG-2012-0196, 81 FR 48279, July 22, 2016]

§ 162.039-8 Termination of listing or labeling.

(a) Listing or labeling as a marine type semiportable fire extinguisher acceptable to the Commandant as approved for use on inspected vessels or motorboats may be terminated, withdrawn, canceled, or suspended by written notice to the recognized laboratory from the Commandant, or by written notice to the manufacturer from the recognized laboratory or from the Commandant under the following conditions:

(1) When the manufacturer does not desire to retain the service.

(2) When the listed product is no longer being manufactured.

(3) When the manufacturer’s own program does not provide suitable assurance of the quality of the listed or labeled product being manufactured.

(4) When the product manufactured no longer conforms to the current applicable requirements.

(b) [Reserved]

Subpart 162.050—Pollution Prevention Equipment

SOURCE: CGD 76-088a, 44 FR 53359, Sept. 13, 1979, unless otherwise noted.

§ 162.050-1 Scope.

(a) This subpart contains—

(1) Procedures for approval of 15 ppm separators, oil content meters, and bilge alarms.

(2) Design specifications for this equipment;

(3) Tests required for approval;

(4) Procedures for obtaining designation as a facility authorized to conduct approval tests;

(5) Marking requirements; and

(6) Factory inspection procedures.

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(b) [Reserved]

[CGD 76-088a, 44 FR 53359, Sept. 13, 1979, as amended by USCG-2004-18939, 74 FR 3382, Jan. 16, 2009]

§ 162.050-3 Definitions.

As used in this subpart—

15 ppm separator means a separator that is designed to remove enough oil from an oil-water mixture to provide a resulting mixture that has an oil concentration of 15 ppm or less.

Bilge alarm means an instrument that is designed to measure the oil content of oily mixtures from machinery space bilges and fuel oil tanks that carry ballast and activate an alarm at a set concentration limit and record date, time, alarm status, and operating status of the 15 ppm separator.

Independent laboratory means a laboratory that—

(1) Has the equipment and procedures necessary to approve the electrical components described in §§ 162.050-21(b) and 162.050-25(c), or to conduct the test described in § 162.050-37(a); and

(2) Is not owned or controlled by a manufacturer, supplier, or vendor of separators, oil content meters, or bilge alarms.

Oil content meter or meter means a component of the oil discharge monitoring and control system that is designed to measure the oil content of cargo residues from cargo tanks and oily mixtures combined with these residues.

PPM means parts per million by volume of oil in water.

Response time means the time elapsed between an alteration in the sample being supplied to the bilge alarm and the ppm display showing the correct response.

[USCG-2004-18939, 74 FR 3382, Jan. 16, 2009]

§ 162.050-4 Incorporation by reference: Where can I get a copy of the publications mentioned in this part?

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish a notice of change in the FEDERAL REGISTER and the material

must be available to the public. All approved material is available for inspection at 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>. Also, it is available for inspection 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, telephone 202-372-1379, and is available from the sources indicated in paragraph (b) of this section.

(b) American Society for Testing and Materials 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959.

(1) ASTM D2777-98, Standard Practice for Determination of Precision and Bias of Applicable Test Methods of Committee D-19 on Water (“ASTM D2777-98”), incorporation by reference approved for § 162.050-15.

(2) [Reserved]

(c) International Organization for Standardization (ISO) 1, rue de Varembé, Case postale 56, CH-1211 Geneva 20, Switzerland (Internet: <http://www.iso.org>):

(1) International Standard ISO 8217 Third edition 2005-11-01, Petroleum products—Fuels (class F)—Specifications of marine fuels (“ISO 8217”), incorporation by reference approved for § 162.050-20.

(2) International Standard ISO 9377-2 First edition 2000-10-15, Water Quality—Determination of hydrocarbon oil index—Part 2: Method using solvent extraction and gas chromatography (“ISO 9377-2”), incorporation by reference approved for § 162.050-39.

(d) Underwriters Laboratories, Inc., (UL) 12 Laboratory Drive, Research Triangle Park, NC 27709-3995

(1) Underwriters Laboratories Standard 913 (as revised April 8, 1976), incorporation by reference approved for §§ 162.050-21, 162.050-25.

(2) [Reserved]

[USCG-2004-18939, 74 FR 3383, Jan. 16, 2009, as amended by USCG-2009-0702, 74 FR 49238, Sept. 25, 2009; USCG-2013-0671, 78 FR 60160, Sept. 30, 2013]

§ 162.050-5 Contents of application.

(a) An application for approval of a separator, oil content meter, or a bilge alarm must contain the following information:

(1) A brief description of the item submitted for approval.

(2) The name and address of the applicant and its manufacturing facility.

(3) A detailed description of quality control procedures, in-process and final inspections and tests followed in manufacturing the item, and construction and sales record keeping systems maintained.

(4) Arrangement drawings and piping diagrams of the item that give the information prescribed by § 56.01-10(d) of this chapter.

(5) Detailed electrical plans of the type described in § 110.25-1 of this chapter.

(6) An operating and maintenance manual containing detailed and easily understandable instructions on installation, operation, calibration, zeroing, and maintenance of the item.

(7) For each monitor and bilge alarm and each control on a separator, the vibration test report described in § 162.050-37.

(8) For each oil content meter, a statement of whether it is to be used with crude oils, refined products, or both.

(9) A list of the substances used in operating the item that require certification under part 147 of this chapter as articles of ships' stores and supplies.

(10) The name of the facility to conduct approval testing.

(11) If the applicant intends to use a test rig other than a test rig of the facility, a detailed description of the rig.

(b) An applicant may incorporate by reference in his application information that he has submitted in a previous application.

[44 FR 53359, Sept. 13, 1979, as amended by USCG-1999-6216, 64 FR 53228, Oct. 1, 1999; USCG-2004-18939, 74 FR 3383, Jan. 16, 2009]

§ 162.050-7 Approval procedures.

(a) An application for approval of equipment under this subpart must either be delivered by visitors to the Commanding Officer, Marine Safety Center, U.S. Coast Guard, 2703 Martin Luther King Jr. Avenue SE., Wash-

ington, DC 20593, or transmitted by mail 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, in a written or electronic format. Information for electronic submittals can be found at <https://www.uscg.mil/HQ/MSC>.

(b) The application is examined by the Coast Guard to determine whether the item complies with the design requirements and vibration standard prescribed in this subpart and to determine what probability the item has of passing the approval tests. The applicant is notified of the results of the examination.

(c) If examination of the application reveals that it is incomplete, it is returned to the applicant with a statement of reasons why it is incomplete.

(d) The applicant must make arrangements for approval testing directly with a testing facility and must provide the facility with a copy of the instructions manual for the equipment to be tested.

(e) If applications for approval of a separator have been made for more than one size, the applicant, in lieu of submitting each size for approval testing, may submit each size that has a capacity exceeding 50 cubic meters per hour throughput, if any, and two additional sizes that have a capacity of 50 cubic meters per hour throughput or less. One of the additional sizes must have a capacity that is in the highest quartile of capacities manufactured in the 0-50 cubic meters per hour throughput range and the other must be from the lowest quartile.

(f) The approval tests in this subpart must be performed by a facility designated under § 162.050-15. The facility must also be accepted as an independent laboratory by the Coast Guard under subpart 159.010 of this chapter. The facility must perform each test in accordance with the test conditions prescribed in this subpart for the test, prepare a test report for the item if it completes all of the tests, and send the report with three copies to the Commanding Officer, USCG Marine Safety Center. The applicant may observe the tests. If an item does not complete

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testing, a new application must be made before retesting.

(g) The Commanding Officer, USCG Marine Safety Center, sends a copy of the test report to the applicant and advises him whether the item is approved. If the item is approved, an approval certificate is sent to the applicant. The approval certificate lists conditions of approval applicable to the item.

(h) A separator is approved under this subpart if—

(1) It meets the design requirements in §162.050-21 and is tested in accordance with this subpart;

(2) The oil content of each sample of separated water effluent taken during approval testing is 15 ppm or less;

(3) During Test No. 3A an oily mixture is not observed at the separated water outlet of the separator;

(4) During Test No. 5A its operation is continuous; and

(5) Any substance used in operating the separator that requires certification under part 147 of this chapter as an article of ships' stores or supplies has been certified.

(i) An oil content meter is approved under this subpart if—

(1) It meets the design requirements in §162.050-25 and is tested in accordance with this subpart;

(2) Each oil content reading recorded during approval testing is ± 10 ppm or ± 10 percent, whichever is greater, of the oil content of the sample influent mixture taken at the time of the reading;

(3) Its response time is twenty (20) seconds or less in Test No. 3CM;

(4) The time intervals between successive readings recorded in Test No. 4CM are twenty (20) seconds or less; and

(5) Any substance used in operating the monitor that requires certification under part 147 of this chapter as an article of ships' stores or supplies has been certified.

(j) A bilge alarm is approved under this subpart if—

(1) It meets the design requirements in §162.050-33 and is tested in accordance with this subpart;

(2) The oil content of each sample taken during approval testing is 15 ppm ± 5 ppm;

(3) Its response time is five seconds or less; and

(4) Any substance used in operating the alarm that requires certification under part 147 of this chapter as an article of ships' stores or supplies has been certified.

[44 FR 53359, Sept. 13, 1979]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §160.050-7, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 162.050-9 Test report.

(a) A report of approval testing must contain the following:

(1) Name of the testing facility.

(2) Name of the applicant.

(3) Date of receiving the item for testing and the dates of the tests conducted.

(4) Trade name and brief description of the item.

(5) A listing of the following properties of the test oils used:

(i) Relative density at 15 °C.

(ii) Viscosity in centistokes at 37.8 °C.

(iii) Flashpoint.

(iv) Weight of ash content.

(v) Weight of water content.

(vi) Relative density at 15 °C. the of water used during testing and the weight of solid content in the water.

(vii) The data recorded during each test.

(6) A statement that the lab followed the testing procedures prescribed in 46 CFR subpart 162.050.

(b) [Reserved]

[CGD 76-088a, 44 FR 53359, Sept. 13, 1979, as amended by USCG-2004-18939, 74 FR 3383, Jan. 16, 2009]

§ 162.050-11 Marking.

(a) Each separator, oil content meter, and bilge alarm manufactured under Coast Guard approval must be plainly marked by the manufacturer with the information listed in paragraph (b) of this section. The marking must be securely fastened to the item.

(b) Each marking must include the following information:

(1) Name of the manufacturer.

(2) Name or model number of the item.

(3) If the item is a separator, the maximum throughput and the maximum influent pressure at which the separator is designed to operate.

(4) The month and year of completion of manufacture.

(5) The manufacturer's serial number for the item.

(6) The Coast Guard approval number assigned to the item in the certificate of approval.

(7) A list of bilge cleaners, solvents, and other chemical compounds that do not impair operation of the item.

(8) If the item is an oil content meter, the oils for which use has been approved.

(9) If the item is a separator that uses replaceable filter or coalescer elements, the part numbers of the elements.

[CGD 76-088a, 44 FR 53359, Sept. 13, 1979, as amended by USCG-2004-18939, 74 FR 3383, Jan. 16, 2009]

§ 162.050-13 Factory production and inspection.

(a) Equipment manufactured under Coast Guard approval must be of the type described in the current certificate of approval issued for the equipment.

(b) Equipment manufactured under Coast Guard approval is not inspected on a regular schedule at the place of manufacture. However, the Commanding Officer, USCG Marine Safety Center, may detail Coast Guard personnel at any time to visit a factory where the equipment is manufactured to conduct an inspection of the manufacturing process.

[44 FR 53359, Sept. 13, 1979, as amended by USCG-2001-10224, 66 FR 48621, Sept. 21, 2001]

§ 162.050-15 Designation of facilities.

(a) Each request for designation as a facility authorized to perform approval tests must be submitted to the Commandant (CG-ENG-3), Attn: Systems Engineering Division, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr. Avenue, SE., Washington, DC 20593-7509.

(b) Each request must include the following:

(1) Name and address of the facility.

(2) Each type of equipment the facility proposes to test.

(3) A description of the facility's capability to perform approval tests including detailed information on the following:

(i) Management organization including personnel qualifications.

(ii) Equipment available for conducting sample analysis.

(iii) Materials available for approval testing.

(iv) Each of the facility's test rigs, if any.

(c) The Coast Guard reviews each request submitted to determine whether the facility meets the requirements of paragraphs (g)(1) through (g)(4) of this section.

(d) If the facility meets the requirements in paragraphs (g)(1) through (g)(4) of this section, they must obtain 12 samples containing mixtures of oil in water that are within a 10-to-30 ppm range that can be verified by an independent third-party source mutually acceptable to the applying lab and the Coast Guard prior to verification.

(e) The facility must measure the oil content of each sample using the method described in § 162.050-39 and report the value of each of the 12 measurements to the Commandant (CG-ENG-3), Systems Engineering Division, 2100 2nd St., SW., Stop 7126, Washington, DC 20593-7126.

(f) The measurements must meet the following criteria:

(1) Except as provided in paragraph (f)(2) of this section, the absolute value of T_n for each measurement, as determined by the American Society for Testing and Materials, "Standard Practice for Determination of Precision and Bias of Methods of Committee D-19 on Water", D 2777 (incorporated by reference, see § 162.050-4), must be less than or equal to 2.29 at a confidence level of 0.05.

(2) The absolute value of T_n for one measurement may exceed 2.29 if the T_n values for the other eleven measurements are less than or equal to 2.23 at a confidence level of 0.05. If the T_n value for one measurement exceeds 2.29, that measurement is not used in the method described in paragraph (f)(3) of this section.

(3) The absolute value of X_d must be smaller than u based on the following analysis of paired observations:

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(i) Calculate the value of \bar{X}_d and S_d . This is the mean and standard deviation, respectively, of the differences between the known sample concentrations and the values obtained by the facility with their equipment. The value of \bar{X}_d for the 12 measurements described in paragraph (e) of this section, or for 11 measurements if paragraph (f)(2) of this section applies, must be within the range $1 \leq \bar{X}_d \leq +1$.

(ii) Determine the appropriate critical value of the Student's t-distribution with (n-1) degrees of freedom for a confidence level of $\alpha = 0.01$. If all 12 samples meet the criteria of paragraph (f)(1) of this section then (n-1) = 11 and the critical value,

$$t_{1-\frac{\alpha}{2}}$$

is 3.106. If paragraph (f)(2) of this section applies, then (n-1) = 10 and

$$t_{1-\frac{\alpha}{2}} = 3.169.$$

= 3.169.

(iii) Compute the value of u, where

$$u = t_{1-\frac{\alpha}{2}} \left(\frac{S_d}{\sqrt{n}} \right),$$

where n = 12 if all samples meet the criteria of paragraph (f)(1) and n = 11 if paragraph (f)(2) applies.

(iv) Compare the absolute value of \bar{X}_d to the value of u. If $|\bar{X}_d| < u$, then the facility meets the criteria.

(g) To obtain authorization to conduct approval tests—

(1) A facility must have the management organization, equipment for con-

ducting sample analysis, and the materials necessary to perform the tests;

(2) Each facility test rig must be of a type described in § 162.050-17 or § 162.050-19;

(3) The loss or award of a specific contract to test equipment must not be a substantial factor in the facility's financial well being;

(4) The facility must be free of influence and control of the manufacturers, suppliers, and vendors of the equipment; and

(5) The oil content measurements submitted to the Commandant must meet the criteria in paragraph (f) of this section.

(h) A facility may not subcontract for approval testing unless previously authorized by the Coast Guard. A request for authorization to subcontract must be sent to the Commandant (CG-ENG-3), Attn: Systems Engineering Division, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr. Avenue, SE., Washington, DC 20593-7509.

[44 FR 53359, Sept. 13, 1979]

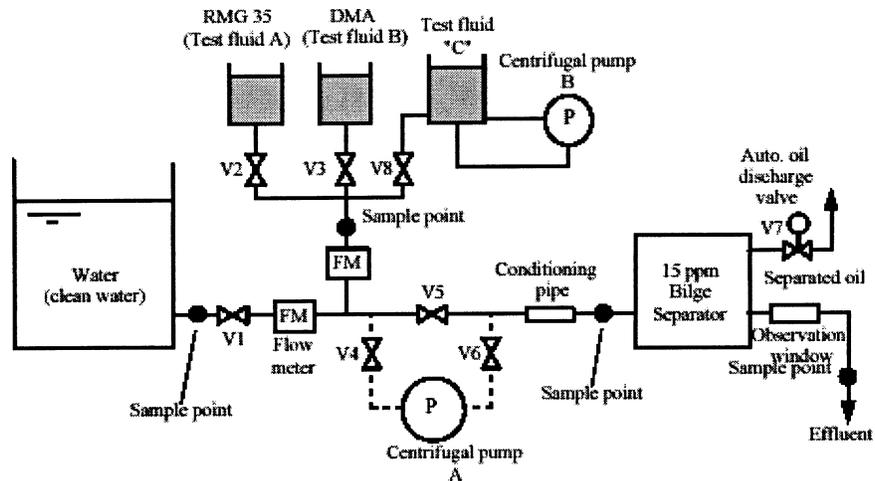
EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 162.050-15, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

EFFECTIVE DATE NOTE: Amendments to § 162.050-15 were published at 89 FR 76704, Sept. 18, 2024, effective Oct. 18, 2024.

§ 162.050-17 Separator test rig.

(a) This section contains requirements for test rigs used in approval testing of separators. A diagram of a typical test rig is shown in Figure 162.050-17(a).

FIGURE 162.050-17(a)—SEPARATOR TEST RIG



(b) Each mixture pump on a test rig must—

(1) Be a centrifugal pump capable of operating at 1,000 revolutions per minute or more;

(2) Have a delivery capacity of at least 1.5 times the maximum throughput at which the separator being tested is designed to operate;

(3) Have a maximum delivery pressure that is equal to or greater than the maximum influent pressure at which the separator is designed to operate; and

(4) Have either bypass piping to its suction side or a throttle valve or orifice on its discharge side.

(c) The inlet piping of the test rig must be sized so that—

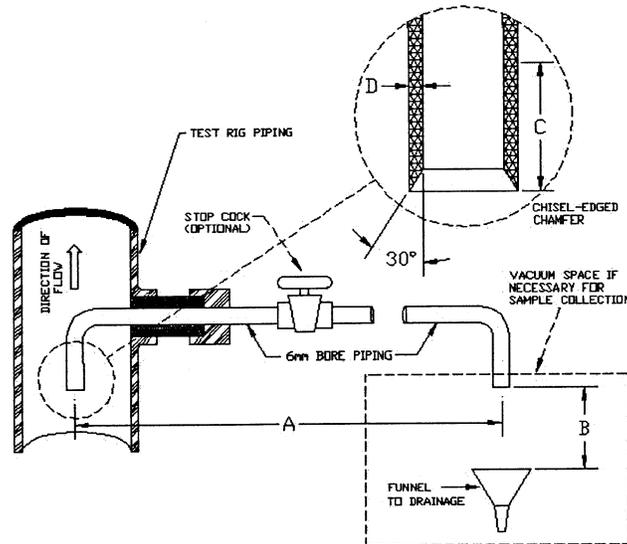
(1) Influent water flows at a Reynolds Number of at least 10,000;

(2) The influent flow rate is between one and three meters per second; and

(3) Its length is at least 20 times its inside diameter.

(d) Each sample point on a test rig must meet the design requirements described in Figure 162.050-17(d) and must be in a vertical portion of the test rig piping.

FIGURE 162.050-17(d)—SAMPLE POINT



- A DIMENSION A IS NOT GREATER THAN 400 MM
- B HEIGHT B IS LARGE ENOUGH TO INSERT A SAMPLE BOTTLE
- C DISTANCE C IS A STRAIGHT LINE OF NOT LESS THAN 60 MM
- D WIDTH D IS NOT GREATER THAN 2 MM

[CGD 76-088a, 44 FR 53359, Sept. 13, 1979, as amended by USCG-2004-18939, 74 FR 3384, Jan. 16, 2009]

§ 162.050-19 Oil content meter and bilge alarm test rig.

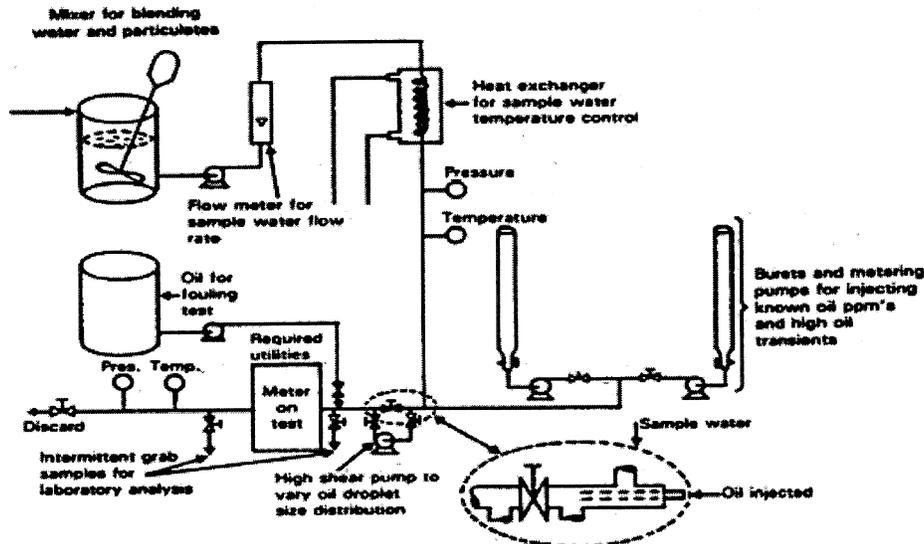
(a) This section contains requirements for test rigs used in approval testing of oil content meters and meter. A typical test rig is described in Figure 162.050-19. The mixture pipe shown in Figure 162.050-19 is the portion of test rig piping between the oil injection point and the meter or bilge alarm piping.

(b) Each sample point on a test rig must be of the type described in Figure 162.050-17(e) and must be in a vertical portion of the test rig piping.

(c) Each test rig must have a centrifugal pump that is designed to operate at 1,000 revolutions per minute or more.

(d) The mixture pipe on a test rig must have a uniform inside diameter.

FIGURE 162.050-19—MONITOR AND BILGE ALARM TEST RIG



[CGD 76-088a, 44 FR 53359, Sept. 13, 1979, as amended by USCG-2004-18939, 74 FR 3385, Jan. 16, 2009]

§ 162.050-20 Separator and bilge alarm test fluids.

(a) Tests required in §§162.050-23 and 162.050-35 must be performed using the following three types of test fluids:

(1) Test Fluid A, which is a marine residual fuel oil in accordance with ISO 8217 (incorporated by reference, see §162.050-4), type RMG 380 (density at 15 °C not less than 980 kg/m³);

(2) Test Fluid B which is a marine distillate fuel oil in accordance with ISO 8217, type DMA (density at 15 °C not less than 830 kg/m³);

(3) Test Fluid C must be a mixture of an oil-in-fresh water emulsion, where 1 kg of the mixture consists of:

- (i) 947.8 g of fresh water;
- (ii) 25.0 g of Test Fluid A;
- (iii) 25.0 g of Test Fluid B;
- (iv) 0.5 g of surfactant (sodium salt of dodecylbenzene sulfonic acid) in the dry form; and
- (v) 1.7 g of iron oxides, a black ferrosiferrous oxide (Fe₃O₄) with a particle size distribution of which 90 percent is less than 10 microns, the remainder having a maximum particle size of 100 microns.

(b) Test Fluid C must be prepared as needed for §162.050-23 or §162.050-35 by using the following procedures:

(1) Measure out 1.2 times the quantity of surfactant required from the WORKSHEET FOR DETERMINING CONSTITUENTS OF TEST FLUID C, see figure 162.050-20;

(2) Mix it with fresh water and stir well in a small container to make a mixture until the surfactant has been thoroughly dissolved, but use no more than the minimum amount of water necessary to make a complete solution;

(3) Fill clean test fluid tank with fresh water with a quantity 1.2 times the volume of the total quantity of water in Test Fluid C needed for the test described in §§162.050-23 and 162.050-35;

(4) Operate the centrifugal pump B running at a speed of not less than 3,000 rpm with a flow rate at which the volume of the test fluid has been changed out at least once per minute;

(5) Add the surfactant mixture from paragraph (b)(2) of this section first, followed by oil and suspended solids (iron oxides) respectively, both 1.2 times of the required amounts, to the fresh water in the tank;

(6) To establish a stable emulsion keep running the centrifugal pump B

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for one hour and confirm no oil floats on the surface of the test fluid; and

(7) After the one hour stated in paragraph (b)(6) of this section, keep running the centrifugal pump B at reduced

speed to approximately 10 percent of original flow rate, until the end of the test.

FIGURE 162.050-20

WORKSHEET FOR DETERMINING CONSTITUENTS OF TEST FLUID C:

1. Determine volumetric flow rate of separator in m³/hr.
2. Determine net volume of fluid needed for testing with fluid C:
 - a. Multiply volumetric flow rate x 3 hours = Net volume (assumes conditioning time of approximately 30 minutes added to 2-1/2-hour test period)
3. Determine volume of Test Fluid C:
 - a. Multiply net volume * 0.06 = Fluid C volume
4. Determine amounts of constituents:
 - a. Volume of Test Fluid C: 1.2 x Net Volume;
 - b. Volume of fresh water in Test Fluid C: 0.9478 x volume of Test Fluid C;
 - c. Weight of Test Fluid A: 25 x volume of Test Fluid C;
 - d. Weight of Test Fluid B: 25 x volume of Test Fluid C;
 - e. Weight of surfactant: 0.5 x volume of Test Fluid C; and
 - f. Weight of iron oxide 1.7 x volume of Test Fluid C.
 - g. Specifications for tank of Test Fluid .C.

(1) The tank should be of a cylindrical shape, as illustrated in the diagram below. The level of the water should be: $2D \geq H \geq 0.5D$, when preparing Test Fluid C.

(2) Outlet going to centrifugal pump B should be placed at as low a position to the tank as possible.

(3) Inlet to the tank should be fitted at the center of tank bottom so that the mixture flows upward to obtain uniform and stable emulsion.

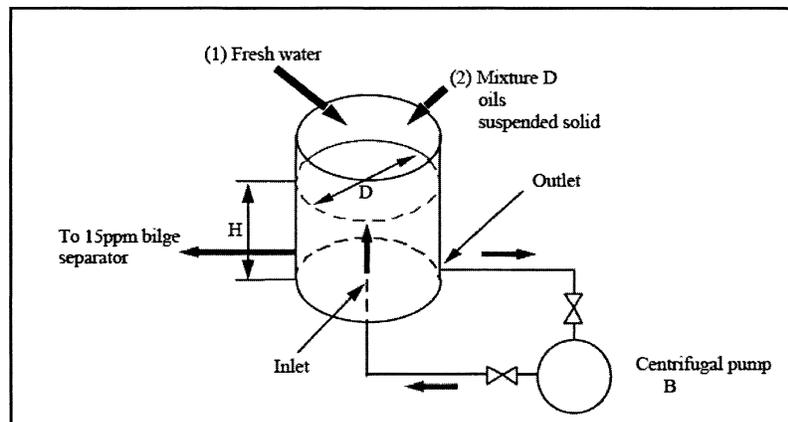


Figure 3 - Tank of Test Fluid "C"

Note:

- (1) The tank should be of a cylindrical shape. The level of the water should be:

$$2D \geq H \geq 0.5D, \text{ when preparing Test Fluid "C"}.$$

- (2) Outlet going to centrifugal pump B should be placed at as low a position to the tank as possible.
- (3) Inlet to the tank should be fitted at the center of tank bottom so that the mixture flows upward to obtain uniform and stable emulsion.

Example:

1. Bilge separator is rated at $2\text{m}^3/\text{hr}$;
2. Net volume needed for the test: Volume of test water:
 $2\text{m}^3 \times 3 \text{ hours} = 6\text{m}^3$;
3. Volume test Fluid C: 6 percent of test water = $0.06 \times 6\text{m}^3 = 0.36\text{m}^3$;
4. Actual volume to be prepared:
 - a. Volume of Test Fluid C to be prepared: 1.2 times of the Net Volume of Test Fluid C = $1.2 \times 0.36 = 0.432\text{m}^3$;
 - b. Volume of fresh water in Test Fluid C: $(947.8\text{g}/1000\text{g})$ of Test Fluid C = $0.9478 \times 0.432 = 0.4094\text{m}^3$;
 - c. Weight of Test Fluid A: $(25\text{g}/1000\text{g})$ of Test Fluid C = $25/1000 \times 0.432 \times 1000 = 10.8\text{kg}$;
 - d. Weight of Test Fluid B: $(25\text{g}/1000\text{g})$ of Test Fluid C = $25/1000 \times 0.432 \times 1000 = 10.8\text{kg}$;
 - e. Weight of surfactant: $(0.5\text{g}/1000\text{g})$ of Test Fluid C = $0.5/1000 \times 0.432 \times 1000 = 0.216\text{kg}$; and
 - f. Weight of iron oxide: $(1.7\text{g}/1000\text{g})$ of Test Fluid C = $1.7/1000 \times 0.432 \times 1000 = 0.734\text{kg}$.

[USCG-2004-18939, 74 FR 3385, Jan. 16, 2009]

§ 162.050-21 Separator: Design specification.

(a) A separator must be designed to operate in each plane that forms an angle of 22.5° with the plane of its normal operating position.

(b) The electrical components of a separator that are to be installed in an explosive atmosphere must be approved by an independent laboratory as components that Underwriters Laboratories Standard 913 (dated April 8, 1976) (incorporated by reference, see § 162.050-4) defines as intrinsically safe

for use in a Class I, Group D hazardous location.

(c) Each separator component that is a moving part must be designed so that its movement during operation of the separator does not cause formation of static electricity.

(d) Each separator must be designed in accordance with the applicable requirements in subchapters F and J of this chapter.

(e) Each separator must be designed to be operated both automatically and manually. Each separator must be capable of operating automatically for at least 24 hours.

(f) Each separator must be designed so that adjustments to valves or other equipment are not necessary to start it.

(g) Each part of a separator that is susceptible to wear and tear must be readily accessible for maintenance in its installed position.

(h) A separator must be designed so that it does not rely in whole or in part on dilution of influent mixtures as a means of performing its function.

[CGD 76-088a, 44 FR 53359, Sept. 13, 1979, as amended by USCG-2004-18939, 74 FR 3388, Jan. 16, 2009]

§ 162.050-23 Separator: Approval tests.

(a) *Test Conditions.* (1) Each test described in this section must be performed at a throughput and influent pressure equal to the maximum throughput and pressure at which the separator being tested is designed to operate. The tests and each of the steps in the tests must be carried out in the order described in this section. Each test must be performed without time delay between steps in the test.

(2) A test rig of the type described in § 162.050-17 must be used in performing each test.

(3) If a separator has a supply pump, it must be tested using that pump. If a separator does not have a supply pump, it must be tested using the mixture pump on the test rig.

(4) The influent water used in each test must be clean fresh water or clean fresh water in solution with sodium chloride. In either case, the relative density of the water must be no greater than 1.015 at 20 °C.

(5) Each test must be conducted at an ambient temperature of between 10 °C and 30 °C.

(6) The oil content of each sample must be measured using the method described in § 162.050-39.

(7) Influent oil content must be determined during testing by measuring the flow rates of the oil and water that are mixed to form the influent or by use of an oil content meter on the inlet piping of the test rig. If an oil content meter is used, a sample of influent and a meter reading must be taken at the beginning of each test. If the meter reading is not within ± 10 percent of the oil content of the sample, the meter

readings subsequently taken during the test are unacceptable test results.

(8) When collecting a sample at a sample point that has a stop cock, the first minute of fluid flow through the stop cock must not be included in the sample collected.

(9) In each test, the separator must be operated in accordance with the procedures described in its instruction manual.

(10) No maintenance, including replacement of parts, may be performed on a separator during or between the tests described in this section.

(11) A 1 liter sample of each oil to be used in testing must be taken and provided for use in the sample analysis required by § 162.050-39.

(12) The separator may not be operated manually in Test No. 5A.

(13) If a separator has an integral bilge alarm, the separator must be tested with the bilge alarm installed.

(b) The following tests must be conducted using Test Fluid A:

(1) *Test No. 1A.* The separator is filled with water and started. Next, the separator is fed with pure Test Fluid A for at least 5 minutes and then with a mixture of Test Fluid A and water influent containing Test Fluid A content of between 5,000 and 10,000 ppm until a steady flow rate at a steady, constant ppm occurs. After the flow rate is steady, the influent is fed to the separator for 30 minutes. Samples of separated water effluent are taken after the first 10 and 20 minutes. At the end of the 30-minute period, the air cock on the test rig is opened and, if necessary, the oil and water supply valves are closed to stop the flow of influent. A sample is then taken of the separated water effluent as the effluent flow ceases.

(2) *Test No. 2A.* Repeat Test No. 1A in paragraph (b)(1) of this section using an influent containing approximately 25 percent oil and 75 percent water. Percentage is on a by volume basis.

(3) *Test No. 3A.* The separator is fed with 100 percent Test Fluid A until Fluid A is discharged at the oil discharge outlet of the separator at essentially the same rate that oil is being fed to the separator. The separator is then fed with 100 percent Test Fluid A for 5 additional minutes. If any oily

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mixture is discharged from the separated water outlet on the separator during the test, that observation is recorded.

(4) *Test No. 4A.* The separator is fed with water for 15 minutes. Samples of the separated water effluent are taken at the beginning of the test and after the first 10 minutes.

(5) *Test No. 5A.* The separator is operated automatically for 3 hours. During the test, the separator is continuously fed with an influent varying from water to a mixture of 25 percent Test Fluid A in water and back to water every 15 minutes. The Test Fluid A concentration in the influent is varied in at least five equal increments during each 15-minute period and the time intervals between the incremental changes are equal. During the last hour, the separator must be inclined at an angle of 22.5° with the plane of its normal operating position. During the last time increment in which the unit is fed a 25 percent Fluid A mixture, a sample of the separated water effluent is taken. If the separator stops at any time during this test, that observation is recorded.

(c) The following tests must be conducted using Test Fluid B:

(1) *Test No. 1B.* Repeat Test No. 1A in paragraph (b)(1) of this section using Test Fluid B; and

(2) *Test No. 2B.* Repeat Test No. 2A in paragraph (b)(2) of this section using Test Fluid B.

(d) The following tests must be conducted using Test Fluid C: *Test No. 1C.* The separator is fed with a mixture composed of 6 percent Test Fluid C and 94 percent water by volume such that the emulsified Test Fluid C content is approximately 3,000 ppm in the test water until a steady flow rate occurs. After the flow rate is steady, the influent containing the 6 percent Test Fluid C solution is fed to the separator operating automatically for 3 hours. Samples of separated water effluent are taken at 50 minutes and 100 minutes. At the end of the 3-hour period, the air cock on the test rig is opened and, if necessary, the oil and water supply valves are closed to stop the flow of influent. A sample is then taken of the

separated water effluent as the effluent flow ceases.

[CGD 76-088a, 44 FR 53359, Sept. 13, 1979, as amended by USCG-2004-18939, 74 FR 3388, Jan. 16, 2009]

§ 162.050-25 **Cargo monitor: Design specification.**

(a) This section contains requirements that apply to cargo monitors.

(b) Each monitor must be designed so that it is calibrated by a means that does not involve manually mixing a known quantity of oil and a known quantity of water to form a mixture and manually feeding the mixture into the monitor.

(c) The electrical components of a monitor that are to be installed in an explosive atmosphere must be approved by an independent laboratory as components that Underwriters Laboratories Standard 913 (dated April 8, 1976) (incorporated by reference, see § 162.050-4) defines as intrinsically safe for use in a Class I, Group D hazardous location.

(d) Each monitor component that is a moving part must be designed so that its movement during operation of the monitor does not cause formation of static electricity.

(e) A monitor must be designed to operate in each plane that forms an angle of 22.5° with the plane of its normal operating position.

(f) Each monitor must be designed in accordance with the applicable requirements contained in subchapters F and J of this chapter.

(g) Each monitor must be designed so that it records each change in oil content of the mixture it is measuring within 20 seconds after the change occurs.

(h) Each monitor must have a device that produces a warning signal and a signal that can be used to actuate valves in a vessel's fixed piping system, when—

(1) The oil content of the mixture being measured exceeds the concentration limit set by the operator of the monitor; and

(2) Malfunction, breakdown, or other failure of the monitor occurs.

(i) Each monitor must have a means to determine whether it is accurately calibrated.

[44 FR 53359, Sept. 13, 1979, as amended by CGD 76-088c, 48 FR 45727, Oct. 6, 1983; USCG-2004-18939, 74 FR 3389, Jan. 16, 2009]

§ 162.050-27 Oil content meter: Approval tests.

This section contains requirements that apply to performing each test.

(a) *Test conditions.* (1) The tests and each step in the tests must be carried out in the order described in this section. Each test must be performed without time delay between steps in the test. No maintenance, including replacement of parts, may be performed on the meter during or between the tests described in this section.

(2) A test rig of the type described in § 162.050-19 must be used when performing each test.

(3) Each mixture used during the tests must be prepared by combining oil supplied from the oil injection pipe of the test rig and water supplied from the mixture tank of the test rig. However, if the flow of oil through the oil injection pipe becomes intermittent, oil and water may be combined in the mixture tank to form the mixture.

(4) A mixture may be circulated through a meter only once during testing.

(5) Unless otherwise provided in a specific test, the water used in each test must be clean, fresh water.

(6) The oil used in each test, except Test No. 2 in paragraph (c) of this section, must be Arabian light crude oil.

(7) Each test must be performed at an ambient temperature of between 10 °C and 30 °C.

(8) Unless otherwise provided in a specific test, each test must be performed at the maximum mixture pressure, the maximum flow rate, and the power supply ratings at which the meter is designed to operate.

(9) The particulate contaminant described in Test No. 5 in paragraph (f) of this section, if not attapulgit, must be of a type that does not lose more than 3 percent of its weight after ignition and must be insoluble in a 500 ppm mixture.

(10) In each test the meter must be operated in accordance with the proce-

dures described in its instructions manual.

(11) Unless otherwise provided in a specific test, the centrifugal pump shown in Figure 162.050-19 in § 162.050-19 must be operated at 1,000 revolutions per minute or more in each test.

(12) Whenever the oil content of a mixture is recorded, a sample of the mixture must also be taken. The oil content of the sample must be measured using the method described in § 162.050-39.

(13) A one-liter sample of each oil to be used in testing must be taken and provided for use in the sample analysis required by § 162.050-39.

(b) *Test No. 1 Calibration and Zero Test.* The meter is calibrated and zeroed to manufacturer's instructions. It is then fed with water for 15 minutes and then with mixtures in the following concentrations: 15 ppm, 50 ppm, 100 ppm, and each additional concentration, in increments of 50 ppm up to the highest oil concentration that can be read on the meter. Each mixture is fed to the meter in the order listed in Table 162.050-27(c) for 15 minutes. Water is fed to the meter for a 15-minute period between each mixture. At the end of each 15-minute period, an oil content reading is obtained and recorded, and a calibration curve must be created.

(c) *Test No. 2 Response to Different Oil Types Test.* (1) If the meter is designed for use with crude oils, it is fed with a mixture of water and the first oil listed in Table 162.050-27(c) at the following concentrations: 15 ppm, 100 ppm, and a concentration that is 90 percent of the highest oil concentration in water that can be read on the meter. Each concentration is fed to the meter in the order listed until a steady reading occurs and is recorded. After each steady reading is recorded, the meter is fed with water for 15 minutes. At the end of each 15-minute period of feeding the meter with water, an oil content reading is again obtained and recorded, and a calibration curve must be created.

(2) The steps described in paragraph (c)(1) of this section are repeated using each of the other oils listed in Table 162.050-27(c). A calibration curve must be created for each oil tested.

TABLE 162.050–27(c)—OIL TYPE AND CHARACTERISTICS

Oil type	Characteristics
Sahara blend crude oil	Density—low. Viscosity—low. Pour point—very low. Producing country—Algeria. General description—mixed base.
Arabian light crude oil	Density—medium. Viscosity—medium. Pour point—low. Producing country—Saudi Arabia. General description—mixed base.
Nigerian medium crude oil	Density—high. Viscosity—medium. Pour point—low. Producing country—Nigeria. General description—naphthenic base.
Bachaquero 17 crude oil	Density—very high. Viscosity—very high. Pour point—low. Producing country—Venezuela. General description—asphaltic base.
Minas crude oil	Density—medium. Viscosity—high. Pour point—very high. Producing country—Indonesia. General description—paraffinic base.
Residual fuel oil	Bunker C or No. 6 Fuel Oil.

(3) If any oil listed in Table 162.050–27(c) is unavailable, an oil with similar properties may be substituted in testing.

(4) If the meter will be used with refined oil products, the steps described in paragraph (c)(1) of this section are performed using each of the following:

- (i) Leaded regular grade automotive gasoline;
- (ii) Unleaded automotive gasoline;
- (iii) Kerosene; and
- (iv) Light diesel or No. 2 fuel oil.

(5) If the meter will be used with category C and D oil-like noxious liquid substances to meet the requirements of 33 CFR 151.41(b), the tests described in paragraphs (c) and (d) of this section are to be performed using the substances for which approval is sought.

(d) *Test No. 3 Response Time Test.* (1) The meter is fed with water, zeroed, and then fed with a 100 ppm mixture. The time at which the meter first detects oil in the mixture, the times of reading 63 ppm and 90 ppm, and the time of reaching the highest steady reading of oil content are recorded. The oil content of the mixture at the highest steady reading is also recorded.

(2) The metering pump is turned off and the time at which the highest reading starts to decrease, the times of

reading 37 ppm and 10 ppm, and the time of returning to the lowest steady oil content reading are recorded. The oil content of the mixture at the lowest steady reading is also recorded.

(3) The time interval between first detecting oil in the mixture and reading 63 ppm, and the time interval between the first decrease in the highest reading and reading 37 ppm, are averaged and recorded as the response time for the meter.

(e) *Test No. 4 Oil Fouling and Calibration Shift Test.* (1) The meter is fed with water, zeroed, and then fed with a mixture containing 10 percent oil for one minute. The following must be recorded:

- (i) Time at which the meter first detects oil;
- (ii) Time of reading 15 ppm;
- (iii) Time of reading 100 ppm;
- (iv) Time of exceeding the highest oil concentration that can be read on the meter;
- (v) Time of returning to the highest oil concentration that can be read on the meter;
- (vi) Time of returning to a reading of 100 ppm;
- (vii) Time of returning to a reading of 15 ppm; and

(viii) Time of returning to the lowest steady oil content reading.

(2) The oil content of the mixture at the lowest steady reading described in paragraph (e)(1)(viii) of this section is recorded.

(3) The meter is fed with water, zeroed, and then fed with oil for 1 minute after which the flow of water is resumed. The times described in paragraph (e)(1) of this section are recorded.

(4) If it is necessary to clean the meter after each oil-fouling test for it to return to a zero reading, this fact and the time required to clean and recalibrate the meter must be noted and recorded in the test report.

(5) The meter is fed with a 100 ppm mixture until a steady oil content reading is obtained and recorded.

(f) *Test No. 5 Contaminant Test.* (1) The meter is fed with a 15 ppm mixture until a steady oil content reading is obtained and recorded.

(2) The meter is fed with a 15 ppm oil mixture of contaminated water consisting of not less than 270 ppm by weight of the clay mineral attapulgite, or similar contaminant that is stable in both fresh and salt water and 30 ppm by weight of iron oxides. The test contaminant should have a particle size distribution with about 30 percent of 10 microns or less and a maximum particle size of 100 microns. The oil content reading, when steady, is recorded.

(3) Each of the two contaminants will be mixed sequentially in the following manner: the mixing of attapulgite shall be for a period of not less than 15 minutes so that a homogeneous suspension is formed; then, iron oxides will be added for an additional period of not less than 10 minutes. The mixing process should maintain the contaminants in suspension throughout the test period.

(4) The test in paragraph (f)(2) of this section is repeated for 100 and 300 ppm oil mixtures in contaminated water.

(g) *Test No. 6 Air Entrainment Test.* (1) The meter is fed with a 15 ppm mixture until a steady oil content reading is obtained and recorded.

(2) Air is injected into the meter test rig before the sample pump or, in the absence of such pump, immediately before any conditioning unit used to pre-

pare the mixture for measurement. Injection must be by needle having an orifice dimension not exceeding 0.5 mm in diameter arranged in line with the sample flow. The quantity of air injected must be 1 percent of the designated flow rate of the sample pump or conditioning unit at the point of injection.

(3) Air must be delivered to the system by direct injection or pump via a suitable measuring device designed to permit a constant controllable flow rate within ± 10 percent of the required rate of injection for an uninterrupted effective test period of not less than 15 minutes.

(4) The oil content reading, when steady, is recorded.

(h) *Test No. 7 Oil Particle Size—Centrifugal Pump Test.* (1) The meter is fed with a 100 ppm mixture until a steady oil content reading is obtained and recorded.

(2) The meter is fed with a 100 ppm mixture that has first passed through the centrifugal pump of the test rig. The pump is run at one-fourth of its design speed. The oil content reading, when steady, is recorded.

(3) The steps described in paragraph (h)(2) of this section are repeated with the pump running at one-half of its design speed and then repeated at its design speed.

(i) *Test No. 8 Temperature Test.* (1) The steps described in paragraph (h)(1) of this section are repeated.

(2) The temperature of the mixture is adjusted to 10 °C and the flow continued until a steady oil content reading is obtained and recorded.

(3) The steps described in paragraph (i)(2) of this section are repeated with the temperature of the mixture at 65 °C or the highest mixture temperature at which the meter is designed to operate, whichever is lower.

(j) *Test No. 9 Sample Pressure or Flow Test.* (1) The steps described in paragraph (h)(1) of this section are repeated.

(2) If the meter has a positive displacement mixture pump, the mixture pressure is lowered to one-half of the meter's maximum design pressure. If the meter has a centrifugal mixture

pump, or is not equipped with a mixture pump, the mixture flow rate is reduced to one-half of the meter's design flow rate. The reduced flow rate or mixture pressure is maintained until a steady oil content reading is obtained and recorded.

(3) If the meter has a positive displacement mixture pump, the mixture pressure is increased to twice the meter's design pressure. If the meter has a centrifugal mixture pump or does not have a mixture pump, the mixture flow rate is increased to twice the meter's maximum design flow rate. The increased flow rate or mixture pressure is maintained until a steady oil content reading is obtained and recorded.

(k) *Test No. 10 Shutoff Test.* (1) The steps described in paragraph (h)(1) of this section are repeated.

(2) The water and metering pumps on the test rig are stopped for 8 hours after which the steps described in paragraph (h)(1) of this section are repeated.

(1) *Test No. 11 Supply Voltage Variation Test.* (1) The supply voltage to the meter is increased to 110 percent of its design supply voltage. The meter is then fed a 100 ppm mixture for one hour. At the end of the 1-hour period, an oil content reading is obtained and recorded.

(2) The steps described in paragraph (1)(1) of this section are repeated with the supply voltage to the meter lowered to 90 percent of its design supply voltage.

(3) Upon completing the steps described in paragraph (1)(2) of this section, the supply voltage to the meter is returned to the design rating.

(4) The steps described in paragraphs (1)(1) through (1)(3) of this section are repeated varying each power supply to the meter in the manner prescribed in those steps for supply voltage.

(m) *Test No. 12 Calibration and Zero Drift Test.* (1) The meter is calibrated and zeroed.

(2) The steps described in paragraph (h)(1) of this section are repeated.

(3) A 100 ppm mixture is fed to the meter for 8 hours. At the end of the 8-hour period, an oil content reading is obtained and recorded.

(4) The meter is fed with water until a steady oil content reading is obtained and recorded.

(n) *Test No. 13 Shutdown and Restart Test.* (1) All power to the meter is shut-off for one week. After 1 week the meter is restarted, zeroed, and calibrated.

(2) The meter is fed with a 100 ppm mixture for 1 hour. An oil content reading is then obtained and recorded.

(3) The meter is fed with water for 1 hour. An oil content reading is then obtained and recorded.

(4) The steps described in paragraphs (n)(2) and (n)(3) of this section are repeated three additional times. During the last hour in which the meter is fed with a 100 ppm mixture, the meter is inclined at an angle of 22.5° with the plane of its normal operating position.

[USCG-2004-18939, 74 FR 3389, Jan. 16, 2009]

§ 162.050-33 Bilge alarm: Design specification.

(a) This section contains requirements that apply to bilge alarms.

(b) Each bilge alarm must be designed to meet the requirements for an oil content meter in §162.050-25(b) through (f) and 162.050-25(i), and the requirements in this section.

(c) Each bilge alarm must have a device that produces a warning signal, and a signal that can be used to actuate stop valves in a vessel's fixed piping system, when—

(1) the oil content of the mixture being measured by the bilge alarm exceeds 15 ppm \pm 5 ppm, and

(2) malfunction, breakdown, or other failure of the bilge alarm occurs.

(d) Each bilge alarm must have a ppm display. Emulsions and/or the type of oil must not affect the ppm display. Calibrating the bilge alarm must not be necessary once installed on board the vessel, however, onboard testing in accordance with the manufacturer's operating instructions is permitted for the purposes of checking instrument drift and repeatability of the instrument reading, as well as the ability to re-zero the instrument. The accuracy of the readings must at all times remain within the limits described in paragraph (c)(1) of this section.

(e) Each bilge alarm must be designed so that it displays each change

in oil content of the mixture it is measuring within 5 seconds after the change occurs.

(f) Access to the bilge alarm must require the breaking of a seal, except when—

- (1) Re-zeroing the instrument;
- (2) Checking the instrument drift; or
- (3) Checking the repeatability of the instrument reading.

(g) Each bilge alarm must activate its alarm whenever clean water is used for cleaning or zeroing purposes.

(h) The bilge alarm must record date, time, alarm status, and operating status of the 15 ppm bilge separator. The recording device must also store data for at least 18 months and be able to display or print a protocol. In the event the 15 ppm bilge alarm is replaced, means must be provided to ensure the data recorded remains available on board for 18 months.

[CGD 76-088a, 44 FR 53359, Sept. 13, 1979, as amended by USCG-2004-18939, 74 FR 3391, Jan. 16, 2009]

§ 162.050-35 Bilge alarm: Approval tests.

This section contains requirements that apply to bilge alarms.

(a) *Test Conditions.* (1) Each test must be conducted under the conditions prescribed for meters in §162.050-27(a)(1) through (a)(5), (a)(7), (a)(8), (a)(10), (a)(11), and (a)(13).

(2) The tests in this section must be performed using test fluids described in §162.050-20.

(3) The oil content of each sample must be measured using the method described in §162.050-39.

(b) *Test No. 1A Calibration and Zero Test.* (1) The bilge alarm is calibrated and zeroed to manufacturer's instructions.

(2) It is then fed with water for 15 minutes and then with a mixture of Test Fluid A and water in the following concentrations: 0 ppm, 15 ppm, and the highest oil concentration that can be read on the monitor. A sample of the mixture causing actuation of the alarm is taken. The alarm is then fed with water for 15 minutes.

(3) Repeat steps in paragraphs (b)(2) of this section first using Test Fluid B and then again with Test Fluid C. Collect samples as required in the test for

each run of Test Fluid B and Test Fluid C.

(4) If the bilge alarm must be calibrated and re-zeroed between test fluids, this must be noted in the test report.

(c) *Test No. 2A Contaminant Test.* (1) The bilge alarm is fed for 5 minutes with a 10 ppm mixture of Test Fluid B and water. At the end of the 5-minute period an oil content reading is obtained and recorded.

(2) The bilge alarm is then fed for 5 minutes with a 10 ppm mixture of Test Fluid B and water contaminated with a 10 ppm concentration of iron oxide. Any change in the bilge alarm reading during the 5 minutes is recorded.

(3) Repeat steps in paragraphs (c)(1) and (2) of this section using iron oxide concentrations of 50 ppm and 100 ppm.

(4) The bilge alarm is then fed for 5 minutes with a 10 ppm mixture of Test Fluid B and water. At the end of the 5-minute period an oil content reading is obtained and recorded.

(5) The bilge alarm is fed for 5 minutes with a 10 ppm mixture of Test Fluid B and fresh water with 6 percent sodium chloride. Any change in the bilge alarm reading is recorded.

(d) *Test No. 3A Sample Pressure or Flow Test.* (1) The bilge alarm is fed with a mixture of Test Fluid B and water and the test fluid content of the mixture is increased until the bilge alarm actuates. The ppm display is recorded and a sample of the mixture causing actuation of the alarm is taken.

(2) If the alarm has a positive displacement mixture pump, the mixture pressure is reduced to one-half of the alarm's maximum design pressure. If the alarm has a centrifugal mixture pump or is not equipped with a mixture pump, the mixture flow rate is reduced to one-half of the alarm's maximum design flow rate. After reduction of pressure or flow rate, the oil content in the mixture is increased until the alarm actuates. The ppm display is recorded and a sample of the mixture causing actuation of the alarm is taken.

(3) If the alarm has a positive displacement mixture pump, the influent pressure is increased to twice the alarm's minimum design pressure. If the alarm has a centrifugal mixture

pump or if the alarm is not equipped with a mixture pump, the influent flow rate is increased to twice the alarm's maximum design flow rate. After increasing the pressure or flow rate, the oil content in the mixture is increased until the alarm actuates. The ppm display is recorded and a sample of the mixture causing actuation is taken.

(e) *Test No. 4A Shutoff Test.* (1) The steps described in paragraph (d)(1) of this section are repeated.

(2) The metering and water pumps of the test rig are stopped for 8 hours with the bilge alarm left turned on with no other changes made.

(3) The metering and water pumps are started and the Test Fluid B content of the mixture is increased until the bilge alarm actuates. A sample of the mixture causing actuation is taken. The bilge alarm ppm display readings before and after the 8-hour period will be recorded.

(f) *Test No. 5A Supply Voltage Variation Test.* (1) The supply voltage to the bilge alarm is raised to 110 percent of its design supply voltage. The bilge alarm is fed with a mixture of Test Fluid B and water and the test fluid content of the mixture is increased until the bilge alarm actuates. The ppm display is recorded and a sample of the mixture causing actuation is taken.

(2) The supply voltage to the alarm is lowered to 90 percent of its design supply voltage. The bilge alarm is fed with a mixture of Test Fluid B and water and the test fluid content of the mixture is increased until the bilge alarm actuates. The ppm display is recorded and a sample of the mixture causing actuation is taken.

(3) Upon completion of the steps described in paragraph (f)(2) of this section, the supply voltage to the alarm is returned to its design value.

(4) The steps described in paragraphs (f)(1) through (f)(3) of this section are repeated varying each other power supply to the alarm in the manner prescribed in those steps for supply voltage.

(g) *Test No. 6A Calibration and Zero Drift Test.* (1) The steps described in paragraph (b)(1) of this section are repeated and then the steps in paragraph (d)(1) of this section are repeated.

(2) The bilge alarm is fed with a 15 ppm mixture of Test Fluid B and water for eight hours and any calibration drift is recorded. Samples of the mixture must be taken at the beginning of the test and at 2-hour intervals until the completion of the 8-hour period.

(3) Following the steps in paragraph (g)(2) of this section, the bilge alarm must be run on clean, oil-free water only and any zero drift must be recorded.

(h) *Test No. 7A Response Time Test.* (1) The bilge alarm is fed with a 40 ppm mixture of Test Fluid B and water until the bilge alarm actuates. The time of turning on the metering pump of the test rig and the time of alarm actuation are recorded. The flow rate on the flow meter of the test rig is also recorded.

(i) *Test No. 8A Shutdown and Restart Test.* (1) All power to the bilge alarm is shutoff for 1 week. After 1 week the alarm is then restarted, zeroed, and calibrated.

(2) The steps described in paragraph (d)(1) of this section are repeated. Water is then fed to the bilge alarm for 1 hour.

(3) The steps described in paragraph (i)(2) of this section are repeated seven additional times. During the last hour, the alarm must be inclined at an angle of 22.5° with the plane of its normal operating position.

[USCG-2004-18939, 74 FR 3391, Jan. 16, 2009]

§ 162.050-37 Vibration test.

(a) Equipment submitted for Coast Guard approval must first be tested under the conditions prescribed in paragraph (b) of this section. The test must be performed at an independent laboratory that has the equipment to subject the item under test to the vibrating frequencies and amplitudes prescribed in paragraph (b) of this section. The test report submitted with the application for Coast Guard approval must be prepared by the laboratory and must contain the test results.

(b)(1) Each oil content meter and bilge alarm and each control of a separator must be subjected to continuous sinusoidal vibration in each of the following directions for a 2 hour period in each direction:

(i) Vertically up and down;

(ii) Horizontally from side to side; and

(iii) Horizontally from end to end.

(2) The vibrating frequency must be 80 Hz, except that the vibrating frequency of equipment that has a resonant frequency between 2 Hz and 80 Hz must be the resonant frequency. If the vibrating frequency is between 2 Hz and 13.2 Hz, the displacement amplitude must be ± 1 mm. If the vibrating frequency is between 13.2 Hz and 80 Hz, the acceleration amplitude must be $\pm[(.7)(\text{gravity})]$.

(c) After completion of the tests specified in paragraph (b) of this section, a search must again be made for resonance and any significant change in the vibration pattern must be noted in the test report.

[CGD 76-088a, 44 FR 53359, Sept. 13, 1979, as amended by USCG-2004-18939, 74 FR 3392, Jan. 16, 2009]

§ 162.050-39 Measurement of oil content.

The collection and testing of all samples of oil in water from the required test will be accomplished in accordance with ISO 9377-2 (2000), Water Quality—Determination of hydrocarbon oil index—Part 2: Method Using solvent extraction and Gas Chromatography (incorporated by reference, see § 162.050-4).

[USCG-2004-18939, 74 FR 3393, Jan. 16, 2009]

Subpart 162.060—Ballast Water Management Systems

AUTHORITY: 16 U.S.C. 4711; Department of Homeland Security Delegation No. 0170.1.

SOURCE: USCG-2001-10486, 77 FR 17311, Mar. 23, 2012, unless otherwise noted.

§ 162.060-1 Purpose and scope.

This subpart contains procedures and requirements for approval of complete ballast water management systems to be installed onboard vessels for the purpose of complying with the ballast water discharge standard of 33 CFR part 151, subparts C and D.

§ 162.060-3 Definitions.

As used in this subpart—

Active substance means a chemical or an organism, including a virus or a fungus, that has a general or specific ac-

tion on or against nonindigenous species.

Administration means the government of the nation/State under whose authority a vessel is operating.

Ballast water means any water and suspended matter taken onboard a vessel to control or maintain trim, draught, stability, or stresses of the vessel, regardless of how it is carried.

Ballast water management system (BWMS) means any system which processes ballast water to kill, render harmless, or remove organisms. The BWMS includes all ballast water treatment equipment and all associated control and monitoring equipment.

Ballast water system means the tanks, piping, valves, pumps, sea chests, and any other associated equipment that the vessel uses for the purposes of ballasting.

Ballast water treatment equipment means that part of the BWMS that mechanically, physically, chemically, or biologically processes ballast water, either singularly or in combination, to kill, render harmless, or remove organisms within ballast water and sediments.

Challenge water means water just prior to treatment. In land-based tests, source water may be augmented to achieve required challenge water conditions.

Control and monitoring equipment means that part of the BWMS required to operate, control, and assess the effective operation of the ballast water treatment equipment.

Hazardous location means areas where fire or explosion hazards may exist due to the presence of flammable gases/vapors, flammable liquids, combustible dust, or ignitable fibers, as determined in accordance with the standards of construction applicable to the vessel on which the BWMS is to be installed.

Hazardous materials means hazardous materials as defined in 49 CFR 171.8; hazardous substances designated under 40 CFR part 116.4; reportable quantities as defined under 40 CFR 117.1; materials that meet the criteria for hazard classes and divisions in 49 CFR part 173; materials under 46 CFR 153.40 determined by the Coast Guard to be hazardous when transported in bulk; flammable liquids defined in 46 CFR 30.10-

22; combustible liquids as defined in 46 CFR 30.10-15; materials listed in Table 46 CFR 151.05, Table 1 of 46 CFR 153, or Table 4 of 46 CFR part 154; or any liquid, liquefied gas, or compressed gas listed in 49 CFR 172.101.

Independent laboratory means an organization that meets the requirements in 46 CFR 159.010-3. In addition to commercial testing laboratories, which may include not-for-profit organizations, the Commandant may also accept classification societies and agencies of governments (including State and Federal agencies of the United States) that are involved in the evaluation, inspection, and testing of BWMS.

In-line treatment means a treatment system or technology used to treat ballast water during normal flow of ballast uptake, discharge, or both.

In-tank treatment means a treatment system or technology used to treat ballast water during the time that it resides in the ballast tanks.

Pesticide means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest as defined under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) and 40 CFR 152.3.

Preparation means any commercial formulation containing one or more active substances, including any additives. This definition also includes any active substances generated onboard a vessel for the purpose of ballast water management to comply with the ballast water discharge standard codified in 33 CFR part 151 subpart C or D.

Quality Assurance Project Plan (QAPP) means a project-specific technical document reflecting the implementation of Quality Assurance and Quality Control activities, including specifics of the BWMS to be tested, the independent laboratory, and other conditions affecting the actual design and implementation of the required tests and evaluations.

Relevant chemical means any transformation or reaction product that is produced during the treatment process or in the receiving environment and which may be of concern to the aquatic environment and human health when discharged.

Representative sample means a random sample, in which every item of interest (organisms, molecules, etc.) in the larger population has an unbiased chance of appearing.

Sampling port means the equipment installed in the ballast water piping through which representative samples of the ballast water being discharged are extracted. This is equivalent to the term “sampling facility” under the International Maritime Organization (IMO) Guidelines for Ballast Water Sampling (G2), published as IMO Resolution MEPC.173(58) on October 10, 2008.

Source water means the body of water from which water is drawn for either land-based or shipboard testing.

Test facility means the location where the independent laboratory conducts land-based, component, active substance, and relevant chemical testing and evaluations, as required by this subpart.

§ 162.060-5 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at 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. Also, it is available for inspection from the at Coast Guard Headquarters. Contact Commandant (CG-5PS), Attn: Director of Commercial Regulations, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7509. The material is also from the sources listed in paragraphs (b) through (d) of this section.

(b) International Electrotechnical Commission (IEC), 3 rue Varembe, P.O. Box 131, 1211 Geneva 20, Switzerland.

(1) IEC 60529, Classification of Degrees of Protection by Enclosures (IP Code), Edition 2.1 consolidated with

amendment 1:1999 (dated February, 2001), IBR approved for § 162.060-30.

(2) [Reserved]

(c) International Organization for Standardization (ISO), ISO Central Secretariat, 1, ch. de la Voie-Creuse, Case postale 56 CH-1211 Geneva 20, Switzerland.

(1) ISO/IEC 17025:2005(E), General Requirements for the Competence of Calibration and Testing Laboratories, Second Edition (dated May 15, 2005), IBR approved for § 162.060-36.

(2) ISO/IEC 17025:2005/Cor.1:2006(E), General Requirements for the Competence of Testing and Calibration Laboratories, Technical Corrigendum 1, (dated August 15, 2006), IBR approved for § 162.060-36.

(d) U.S. Environmental Protection Agency (EPA), Environmental Technology Verification Program, National Risk Management Research Laboratory Office of Research and Development, U.S. Environmental Protection Agency, 2890 Woodbridge Avenue (MS-104), Edison, New Jersey 08837.

(1) EPA/600/R-10/146, Generic Protocol for the Verification of Ballast Water Treatment Technologies, version 5.1, (dated September 2010), IBR approved for §§ 162.060-26 and 162.060-28 (ETV Protocol).

(2) [Reserved]

[USCG-2001-10486, 77 FR 17311, Mar. 23, 2012, as amended by USCG-2013-0671, 78 FR 60160, Sept. 30, 2013]

§ 162.060-10 Approval procedures.

(a) Not less than 30 days before initiating any testing of a ballast water management system (BWMS), the results of which are intended for use in an application for type approval, the manufacturer must submit a Letter of Intent (LOI) providing as much of the following information as possible to the Commanding Officer (MSC), Attn: Marine Safety Center, U.S. Coast Guard Stop 7430, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7430, or by email to *msc@uscg.mil*:

(1) Manufacturer's name, address, and point of contact, with telephone number or email address.

(2) Name and location of independent laboratory and associated test facilities and subcontractors, plus expected dates and locations for actual testing.

(3) Model name, model number, and type of BWMS.

(4) Expected date of submission of full application package to the Coast Guard.

(5) Name, type of vessel, and expected geographic locations for shipboard testing.

(b) The manufacturer must ensure evaluation, inspection, and testing of the BWMS is conducted by an independent laboratory, accepted by the Coast Guard, in accordance with §§ 162.060-20 through 162.060-40 of this subpart. Testing may begin 30 days after submission of the LOI unless otherwise directed by the Coast Guard.

(1) If an evaluation, inspection, or test required by this section is not practicable or applicable, a manufacturer or independent laboratory may submit a written request to the Commanding Officer (MSC), Attn: Marine Safety Center, U.S. Coast Guard Stop 7430, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7430, or by email to *msc@uscg.mil*, for approval of alternatives as equivalent to the requirements in this section. The request must include the manufacturer's justification for any proposed changes and contain full descriptions of any proposed alternative tests.

(2) The Coast Guard will notify the manufacturer of its determination under paragraph (b)(1) of this section. Any limitations imposed by the BWMS on testing procedures and all approved deviations from any evaluation, inspection, or testing required by this subpart must be duly noted in the Experimental Design section of the Test Plan.

(c) The manufacturer must submit an application for approval in accordance with § 162.060-14 of this subpart.

(d) Upon receipt of an application completed in compliance with § 162.060-14 of this subpart, the MSC will evaluate the application and either approve, disapprove, or return it to the manufacturer for further revision.

(e) In addition to tests and evaluations required by this subpart, the Coast Guard will independently conduct environmental analyses of each system in accordance with the National Environmental Policy Act, the Endangered Species Act, and/or other environmental statutes. The Coast

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Guard advises applicants that applications containing novel processes or active substances may encounter significantly longer reviews during these environmental evaluations.

(f) A BWMS is eligible for approval if—

(1) It meets the design and construction requirements in §162.060-20 of this subpart;

(2) It is evaluated, inspected, and tested under land-based and shipboard conditions in accordance with §§162.060-26 and 162.060-28 of this subpart, respectively, and thereby demonstrates that it consistently meets the ballast water discharge standard in 33 CFR part 151, subparts C and D;

(3) All applicable components of the BWMS meet the component testing requirements of §162.060-30 of this subpart;

(4) The BWMS meets the requirements of §162.060-32 of this subpart if the BWMS uses an active substance or preparation; and

(5) The ballast water discharge, preparation, active substance, or relevant chemical are not found to be persistent, bioaccumulative, or toxic when discharged.

(g) After evaluation of an application, the Coast Guard will advise the applicant in accordance with 46 CFR 159.005-13 whether the BWMS is approved. If the BWMS is approved, a certification number will be issued and an approval certificate sent to the applicant in accordance with 46 CFR 2.75-5. The approval certificate will list conditions of approval applicable to the BWMS.

[USCG-2001-10486, 77 FR 17311, Mar. 23, 2012, as amended by USCG-2013-0671, 78 FR 60161, Sept. 30, 2013; USCG-2015-0867, 80 FR 62470, Oct. 16, 2015; USCG-2016-0498, 82 FR 35092, July 28, 2017]

§ 162.060-12 Use and acceptance of existing test data.

(a) A manufacturer whose ballast water management system (BWMS) has completed approval testing for a foreign administration in accordance with the International Maritime Organization's Guidelines for Approval of Ballast Water Management Systems (G8) may use the data and information developed during such approval testing to

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support the submission of an application pursuant to §162.060-14 of this subpart. The applicant must submit the data and other information developed during approval testing and evaluation for another administration, and include a concise but thorough explanation of how the submission meets or exceeds the requirements of this subpart in respect to design, material and manufacture, and ability to meet the BWDS requirements.

(b) Applications under paragraph (a) of this section will not need to comply with the requirements for advance notice under §162.060-10(a) of this subpart for testing that has already occurred; or with the requirements that all evaluation, inspection, and testing of the BWMS is conducted by an independent laboratory, previously accepted by the Coast Guard, under §162.060-10(b) of this subpart. However—

(1) If the applicant determines, prior to submission of an application, that one or more aspects of the Coast Guard's requirements for approval of a BWMS are not satisfied by the data and information developed for approval by another administration, and that additional testing and evaluation is required, the applicant will notify the Coast Guard of the intent to conduct the new testing in accordance with the requirements of §162.060-10(a) and (b)(1) of this subpart.

(2) While laboratories and test facilities that conducted the test and evaluation for approval by another administration are not required to have been designated as independent laboratories under the requirements of this subpart at the time of such work, as would otherwise be required under §162.060-10(b) of this subpart, all laboratories and test facilities must have met the requirements under 46 CFR 159.010-3 and 159.010-5(a) at the time of such work. It is the responsibility of the applicant to ensure that the satisfaction of this requirement is adequately documented in the application.

§ 162.060-14 Information requirements for the ballast water management system (BWMS) application.

(a) A complete BWMS application must contain all of the following information:

(1) The name and location of the independent laboratory conducting approval tests and evaluations.

(2) Two sets of plans describing the BWMS, as specified in 46 CFR 159.005-12.

(3) An Operation, Maintenance, and Safety Manual for the BWMS that meets the requirements in §162.060-38 of this subpart.

(4) A bill of materials showing all components and specifications of the BWMS.

(5) A list of any systems or components of the BWMS that may require certification as marine portable tanks.

(6) A list of any pressure vessels used as a part of the BWMS, along with a description of the pressure vessel building standard, or code, or why the pressure vessel should be considered exempt from any requirements. Manufacturers must also submit detailed pressure vessel plans if they intend to fabricate pressure vessels, heat exchangers, evaporators, and similar appurtenances.

(7) Documentation of all necessary approvals, registrations, and other documents or certifications required for any active substances, preparations, or relevant chemicals used by the BWMS. The documentation must include the following:

(i) A list of any active substances, preparations, or relevant chemicals that are used, produced, generated as a byproduct, and/or discharged in association with the operation of the BWMS.

(ii) A list of all limitations or restrictions that must be complied with during the approval testing and evaluations, including any water quality limits established by the Environmental Protection Agency, States, or tribes, under the Clean Water Act.

(8) A detailed description of Quality Control procedures, in-process and final inspections, tests followed in manufacturing the item, and construction and sales record keeping systems.

(9) The completed Test Report required by §162.060-34 of this subpart prepared and submitted by the IL.

(b) The completed application must be sent by the manufacturer to the Commanding Officer (MSC), Attn: Marine Safety Center, U.S. Coast Guard

Stop 7430, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7430, or by email to *msc@uscg.mil*..

(c) If examination of the application reveals that it is incomplete, the Coast Guard will return it to the applicant with an explanation.

(d) Additional information, including electronic submission criteria, is available at <http://homeport.uscg.mil/msc>.

[USCG-2001-10486, 77 FR 17311, Mar. 23, 2012, as amended by USCG-2013-0671, 78 FR 60161, Sept. 30, 2013; USCG-2016-0498, 82 FR 35093, July 28, 2017; USCG-2018-0874, 84 FR 30883, June 28, 2019]

§ 162.060-16 Changes to an approved ballast water management system (BWMS).

(a) The manufacturer of a BWMS that is approved by the Coast Guard must notify the Commanding Officer, U.S. Coast Guard Marine Safety Center (MSC), in writing of any change in design or intended operational conditions of the BWMS.

(b) The notification required by paragraph (a) of this section must include—

(1) A description of the change and its advantages; and

(2) An indication of whether or not the original BWMS will be discontinued.

(c) After receipt of the notice and information, the Coast Guard will notify the manufacturer, in writing, of any tests or evaluations that must be conducted, and then determine if BWMS recertification and/or modification is required. The manufacturer may appeal this determination to the Director of Commercial Regulations. Contact Commandant (CG-5PS), Attn: Director of Commercial Regulations, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7509.

[USCG-2001-10486, 77 FR 17311, Mar. 23, 2012, as amended by USCG-2013-0671, 78 FR 60161, Sept. 30, 2013]

§ 162.060-18 Suspension, withdrawal, or termination of approval.

The Coast Guard may suspend an approval issued under this subpart or alternate management system (AMS) determination issued under 33 CFR 151.2026(d) of a ballast water management system (BWMS) in accordance

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with 46 CFR 2.75-40, withdraw an approval or AMS determination in accordance with 46 CFR 2.75-50(a), or terminate an approval or AMS determination in accordance with 46 CFR 2.75-50(b) if the BWMS or AMS, as manufactured—

- (a) Is found non-compliant with the conditions of approval;
- (b) Is unsuitable for the purpose intended by the manufacturer;
- (c) Does not meet the requirements of applicable laws, rules, and regulations, and other Federal requirements when installed and operated as intended by the manufacturer; or
- (d) Cannot be maintained to operate as designed, due to lack of parts or necessary support services.

§ 162.060-20 Design and construction requirements.

(a) Unless otherwise authorized by the Commandant, each ballast water management system (BWMS) must be designed and constructed in a manner that—

- (1) Ensures simple and effective means for its operation;
- (2) Allows operation to be initiated, controlled, and monitored by a single individual, with minimal interaction or attention once normal operation is initiated;
- (3) Is robust and suitable for working in the shipboard environment and adequate for its intended service;
- (4) Meets recognized national or international standards for all related marine engineering and electrical engineering applications; and
- (5) Operates when the vessel is upright, inclined under static conditions at any angle of list up to and including 15°, and when the vessel is inclined under dynamic, rolling conditions at any angle of list up to and including 22.5° and, simultaneously, at any angle of trim (pitching) up to and including 7.5° by bow or stern. The Coast Guard may permit deviations from these angles of inclination by considering the type, size, and service of intended vessels and considering how the BWMS is to be operated. These deviations must be included on the certificate issued in accordance with § 162.060-10(g) of this subpart.

(b) Each BWMS must have control and monitoring equipment that—

- (1) Automatically monitors and adjusts necessary treatment dosages, intensities, or other aspects required for proper operation;
- (2) Incorporates a continuous self-monitoring function during the period in which the BWMS is in operation;
- (3) Records proper functioning and failures of the BWMS;
- (4) Records all events in which an alarm is activated for the purposes of cleaning, calibration, or repair;
- (5) Is able to store data for at least 6 months and to display or print a record for official inspections as required; and
- (6) In the event that the control and monitoring equipment is replaced, actions must be taken to ensure the data recorded prior to replacement remain available onboard for a minimum of 24 months.

(c) Each BWMS must be designed and constructed with the following operating and emergency controls:

- (1) Visual means of indicating (both on the BWMS and in a normally manned space) when the BWMS is operating, including a visual alarm activated whenever the BWMS is in operation for the purpose of cleaning, calibration, or repair.
- (2) Audio and visual alarm signals in all stations from which ballast water operations are controlled in case of any failure(s) compromising the proper operation of the BWMS.
- (3) Means to activate stop valves, as applicable, if the BWMS fails.
- (4) Suitable manual by-passes or overrides to protect the safety of the vessel and personnel in the event of an emergency.
- (5) Means that compensate for a momentary loss of power during operation of the BWMS so that unintentional discharges do not occur.
- (6) Means of automatic operation for BWMS installed in unoccupied machinery spaces, from the time placed online until the time secured.
- (7) Adequate alarms for the unintentional release of active substances, preparations, relevant chemicals, or hazardous materials used in or produced by the BWMS.

(d) A BWMS must comply with the relevant requirements for use in a hazardous location, as defined in 46 CFR subpart 111.105, or its foreign equivalent, if it is intended to be fitted in a hazardous location. Any electrical equipment that is a component of the BWMS must be installed in a non-hazardous location unless certified as safe for use in a hazardous location. Any moving parts which are fitted in hazardous locations must be arranged in a manner that avoids the formation of static electricity. Certificates issued under §162.060–10(g) for systems approved for installation in hazardous locations must be so noted.

(e) To ensure continued operational performance of the BWMS without interference, the following conditions must be incorporated into the design:

(1) Each part of the BWMS that the manufacturer's instructions require to be serviced routinely or that is liable to wear or damage must be readily accessible in the installed position(s) recommended by the manufacturer.

(2) To avoid interference with the BWMS, every access of the BWMS beyond the essential requirements, as determined by the manufacturer, must require the breaking of a seal, and, where possible for the purpose of maintenance, activate an alarm.

(3) Simple means must be provided aboard the vessel to identify drift and repeatability fluctuations and re-zero measuring devices that are part of the control and monitoring equipment.

(f) Each BWMS must be designed so that it does not rely in whole or in part on dilution of ballast water as a means of achieving the ballast water discharge standard as required in 33 CFR part 151, subparts C or D.

(g) Adequate arrangements for storage, application, mitigation, monitoring (including alarms), and safe handling must be made for all BWMS that incorporate the use of, produce, generate, or discharge a hazardous material, active substance, preparation and/or pesticide in accordance with Coast Guard regulations on handling/storage of hazardous materials (33 CFR part 126) and any other applicable Federal, State, and local requirements.

(h) For any BWMS that incorporates the use of or generates active sub-

stances, preparations, or chemicals, the BWMS must be equipped with each of the following, as applicable:

(1) A means of indicating the amount and concentration of any chemical in the BWMS that is necessary for its effective operation.

(2) A means of indicating when chemicals must be added for the proper continued operation of the BWMS.

(3) Sensors and alarms in all spaces that may be impacted by a malfunction of the BWMS.

(4) A means of monitoring all active substances and preparations and relevant chemicals in the treated discharge.

(5) A means to ensure that any maximum dosage or maximum allowable discharge concentration of active substances and preparations is not exceeded at any time.

(6) Proper storage of each chemical defined as a hazardous material in 49 CFR 171.8 that is specified or provided by the manufacturer for use in the operation of a BWMS. Each such chemical that is stowed onboard must be labeled and stowed in accordance with the procedures in 46 CFR part 147.

§ 162.060–22 Marking requirements.

(a) Each ballast water management system (BWMS) manufactured under Coast Guard approval must have a nameplate which is securely fastened to the BWMS and plainly marked by the manufacturer with the information listed in paragraph (b) of this section.

(b) Each nameplate must include the following information:

(1) Coast Guard approval number assigned to the BWMS in the certificate of approval.

(2) Name of the manufacturer.

(3) Name and model number of the BWMS.

(4) The manufacturer's serial number for the BWMS.

(5) The month and year of manufacture completion.

(6) The maximum allowable working pressure for the BWMS.

(c) The information required by paragraph (b) of this section must appear on a nameplate attached to, or in lettering on, the BWMS. The nameplate

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or lettering must be capable of withstanding the combined effects of normal wear and tear and exposure to water, salt spray, direct sunlight, heat, cold, and any substance used in the normal operation and maintenance of the BWMS without loss of readability. The nameplate must not be obscured by paint, corrosion, or other materials that would hinder readability.

[USCG-2001-10486, 77 FR 17311, Mar. 23, 2012, as amended by 77 FR 33970, June 8, 2012]

§ 162.060-24 Test Plan requirements.

(a) The Coast Guard requires Test Plans for land-based, shipboard, and component testing conducted to meet the requirements of §§ 162.060-26, 162.060-28 and 162.060-30 of this subpart, respectively. Test Plans must include an examination of all the manufacturer's stated requirements and procedures for installation, calibration, maintenance, and operations that will be used by the ballast water management system (BWMS) during each test, as appropriate for the specific test.

(b) Test Plans must also include potential environmental, health, and safety issues; unusual operating requirements; and any issues related to the disposal of treated ballast water, by-products, or waste streams.

(c) For land-based testing, a Test Plan prepared under the ETV Protocol may be submitted (ETV Protocol incorporated by reference, *see* § 162.060-5). Otherwise, each Test Plan must be in the following format:

(1) Title page, including all project participants.

(2) Table of contents.

(3) Project description and treatment performance objectives.

(4) Project organization and personnel responsibilities.

(5) Description of the independent laboratory and all test facilities and subcontractors.

(6) BWMS description.

(7) Experimental design (including installation/start-up plan for tested equipment).

(8) Challenge conditions and preparation (including the test facility's standard operating procedures for achieving such conditions).

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(9) Sampling, data acquisition, and analysis plan, including all necessary procedures.

(10) Data management, analysis, and reporting.

(11) Quality Assurance Project Plan, in accordance with the requirements of § 162.060-36 of this subpart.

(12) Environmental, health, and safety plans.

(13) Applicable references.

§ 162.060-26 Land-based testing requirements.

(a) Each ballast water management system (BWMS) must undergo land-based tests and evaluations that meet the requirements of the ETV Protocol (incorporated by reference, *see* § 162.060-5). The land-based testing will determine if the biological efficacy of the BWMS under consideration for approval is sufficient to meet the applicable ballast water discharge standard (BWDS) and validate those aspects of the operating and maintenance parameters presented by the manufacturer that are appropriate for assessment under the relatively short-term, but well-controlled, circumstances of a land-based test.

(b) The test set up must operate as described in the ETV Protocol Test Plan requirements during at least five consecutive, valid, and successful replicate test cycles. No adjustments to the BWMS are permitted unless specifically detailed in the Operation, Maintenance and Safety Manual. The BWMS must be operated by independent laboratory or independent laboratory subcontractor personnel.

(c) Each valid test cycle must include—

(1) Uptake of source water by pumping at a minimum of 200 m³/hr;

(2) Treatment of a minimum of 200 m³ of challenge water with the BWMS;

(3) Pumping of a minimum of 200 m³ of control water through the test facility in a manner that is in all ways identical to paragraph (c)(2) of this section, except that the BWMS is not used to treat the water;

(4) Retention of the treated and control water in separate tanks for a minimum of 24 hours; and

(5) Discharge of the treated and control water by pumping.

(d) The BWMS must be tested in water conditions for which it will be approved. For each set of test cycles, a salinity range must be chosen. With respect to the salinity of water bodies where the BWMS is intended to be used, the challenge water used in the test set-up must have dissolved and particulate content as described in the ETV Protocol.

(e) The approval certificate issued in accordance with §162.060–10(g) will list the salinity ranges for which the BWMS is approved.

(f) The BWMS must be tested at its rated capacity or as specified in paragraph (f)(1) of this section for each test cycle and must function to the manufacturer's specifications during the test.

(1) Treatment equipment may be downsized for land-based testing, but only when the following criteria are met:

(i) Treatment equipment with a treatment rated capacity (TRC) equal to or less than 200 m³/h must not be downscaled.

(ii) Treatment equipment with a TRC greater than 200 m³/h but less than 1,000 m³/h may be downscaled to a maximum of 1:5 scale, but must not be less than 200 m³/h.

(iii) Treatment equipment with a TRC equal to or greater than 1,000 m³/h may be downscaled to a maximum of 1:100 scale, but must not be less than 200 m³/h.

(iv) The manufacturer of the BWMS must demonstrate by using mathematical modeling, computational fluid dynamics modeling, and/or by calculations, that any downscaling will not affect the ultimate functioning and effectiveness onboard a vessel of the type and size for which the BWMS will be approved.

(2) Greater scaling may be applied and lower flow rates used other than those described in paragraph (f)(1) of this section if the manufacturer can provide evidence from full-scale shipboard testing, in accordance with paragraph (f)(1)(iv) of this section, that greater scaling and lower flow rates will not adversely affect the testing's ability to predict full-scale compliance with the BWDS. The procedures of §162.060–10(b)(1) of this subpart must be

followed before scaling of flow rates other than those provided in paragraph (f)(1) of this section may be used.

(g) The test set-up, TRC, and scaling of all tests (including mathematical and computational fluid dynamics modeling) must be clearly identified in the Experimental Design section of the Test Plan.

§ 162.060–28 Shipboard testing requirements.

(a) The ballast water management system (BWMS) manufacturer is responsible for making all arrangements for a vessel on which to conduct shipboard tests, including the provision and installation of a BWMS.

(b) Shipboard tests must be conducted throughout a period of operation of at least 6 months. During the period of testing, all ballast water discharged to waters of the United States must be treated by the BWMS.

(c) BWMS approved under this subpart must undergo shipboard tests and evaluations that meet the requirements of this section. The shipboard testing will verify—

(1) That the BWMS under consideration for approval, when installed and operated in the vessel in a location and configuration consistent with its final intended use on operating vessels (e.g., in the engine room or pump room), consistently results in the routine discharge of ballast water that meets the ballast water discharge standard (BWDS) requirements of 33 CFR part 151, subparts C and D; and

(2) That the operating and maintenance parameters identified by the manufacturer in the Operation, Maintenance, and Safety Manual (OMSM) are consistently achieved.

(d) The BWMS to be tested must be installed and operated in the vessel in a location and configuration consistent with its final intended use on operating vessels. Vessel crew must operate the BWMS during testing.

(e) The vessel used as a platform for shipboard testing under this section must be selected to meet the following criteria:

(1) The volumes and rates of ballast water used and treated are representative of the upper end of the treatment rated capacity for which the BWMS is

intended to be used. Vessel tank size and flow rates must be equal to or exceed those used during land-based tests.

(2) The circumstances of the vessel's operation during the period of shipboard testing provide an acceptable range of geographic and seasonal variability conditions.

(i) The source water used for testing is representative of harbor or coastal waters. Testing must include temperate, semi-tropical, or tropical locations with ambient organism concentrations that will provide a significant challenge to the efficacy of the BWMS.

(ii) Concentrations of organisms greater than or equal to 50 micrometers, and organisms less than 50 micrometers and greater than or equal to 10 micrometers in the source water must exceed 10 times the maximum permitted values in the BWDS.

(3) The ports that the vessel visits provide adequate availability of transportation and scientific support needed to accomplish the necessary sampling and analytical procedures during the shipboard tests.

(f) The vessel's ballast water system must be provided with sampling ports arranged in order to collect representative samples of the vessel's ballast water. In addition to the sampling ports designed and installed in accordance with the specifications in the ETV Protocol (incorporated by reference, see §162.060-5), sampling ports must be located—

(1) As close as practicable to the BWMS prior to treatment to determine concentrations of living organisms upon uptake;

(2) As close as practicable to the BWMS overboard outlet prior to the discharge point to determine concentrations of living organisms prior to discharge; and

(3) Elsewhere as necessary to ascertain the proper functioning of the BWMS.

(g) All test results must be reported in accordance with paragraph (i) of this section. The efficacy of the BWMS must be confirmed during at least five consecutive valid test cycles.

(1) A test cycle entails—

(i) The uptake of ballast water by the vessel;

(ii) The storage of ballast water on the vessel;

(iii) Treatment of the ballast water by the BWMS, except in control tanks, if used, with no fine-tuning or adjustment of the system except as specifically detailed in the OMSM; and

(iv) The discharge of ballast water from the vessel.

(2) All test cycles must include quantification of the water quality parameters on uptake.

(3) All test cycles must include discharge tests and quantification of the concentration of living organisms in the treated ballast water on discharge. Sampling and analysis for living organisms will be in accordance with the ETV Protocol.

(4) A test cycle must meet the following criteria in order to be considered valid:

(i) The uptake of the source water must be conducted in accordance with paragraph (e)(2)(i) of this section.

(ii) Source waters must be analyzed for organisms greater than or equal to 50 micrometers and organisms less than 50 micrometers and greater than or equal to 10 micrometers. To simplify the testing program, these source water samples need only be collected and properly preserved and transported for counting by trained microscopists in land-based laboratories. The reported data by taxa (to the lowest reasonably identifiable taxonomic grouping) will be used to characterize the source water biological test conditions.

(iii) The BWMS must operate successfully as designed, maintaining control of all set points and treatment processes, including any pre-discharge conditioning to remove or neutralize residual treatment chemicals or by-products.

(iv) All design or required water quality parameters must be met for the discharged water.

(v) Whole effluent toxicity testing must be conducted in accordance with the December 2008 Environmental Protection Agency (EPA) Vessel General Permit (VGP) requirements (VGP Section 5.8; available at http://www.epa.gov/npdes/pubs/vessel_vgp_permit.pdf).

(5) The source water for all test cycles must be characterized by measurement of water quality parameters as follows:

(i) For all BWMS tests, salinity, temperature, and turbidity must be measured either continuously during or at the beginning, middle, and end of the period of ballast water uptake, as appropriate and practicable for the parameters to be measured.

(ii) Water quality parameters (e.g., dissolved and particulate organic material, pH, etc.) that may affect the efficacy of BWMS that make use of active substances or other processes, or water quality parameters identified by the manufacturer and/or the independent laboratory as being critical, must be measured either continuously during or at the beginning, middle, and end of the period of ballast water uptake, as appropriate and practicable for the parameters to be measured.

(h) Samples of ballast water must be collected from in-line sampling ports in accordance with the sampling specifications in the ETV Protocol.

(i) The following information must be documented during the entire period of BWMS testing operations conducted on the vessel:

(1) All ballast water operations, including volumes and locations of uptake and discharge.

(2) All test cycles, even those in which the BWMS failed to meet the BWDS, must be documented. The possible reasons for an unsuccessful test cycle must be investigated and included in the Test Report.

(3) All weather conditions and resultant effects on vessel orientation and vibration.

(4) Scheduled maintenance performed on the BWMS.

(5) Unscheduled maintenance and repair performed on the BWMS.

(6) Data for all engineering parameters monitored as appropriate to the specific BWMS.

(7) Consumption of all solutions, preparations, or other consumables necessary for the effective operation of the BWMS.

(8) All parameters necessary for tracking the functioning of the control and monitoring equipment.

(9) All instrument calibration methods and frequency of calibration.

(j) All measurements for numbers and viability of organisms, water quality parameters, engineering performance parameters, and environmental conditions must be conducted in accordance with the ETV Protocol. Where alternative methods are necessary, given constraints of the BWMS and/or the vessel, standard methods from recognized bodies such as EPA (in 40 CFR part 136), the International Standards Organization, or others accepted by the scientific community must be used, and must be accepted in advance by the Coast Guard.

(k) Test vessels discharging treated ballast water into the waters of the United States must be enrolled in the U.S. Coast Guard's Shipboard Technology Evaluation Program. Test vessels discharging treated ballast water into waters of other countries must secure all necessary approvals and permits required for discharges of treated ballast water.

§ 162.060-30 Testing requirements for ballast water management system (BWMS) components.

(a) The electrical and electronic components, including each alarm and control and monitoring device of the BWMS, must be subjected to the following environmental tests when in the standard production configuration:

(1) A resonance search vertically up and down, horizontally from side to side, and horizontally from end to end, at a rate sufficiently low as to permit resonance detection made over the following ranges of oscillation frequency and amplitude:

(i) At 2 to 13.3 Hz with a vibration amplitude of ± 1 mm.

(ii) At 13.2 to 80 Hz with an acceleration amplitude of ± 0.7 g.

(2) The components must be vibrated in the planes specified in paragraph (a)(1) of this section at each major resonant frequency for a period of 4 hours.

(3) In the absence of any resonant frequency, the components must be vibrated in each of the planes specified in paragraph (a)(1) of this section at 30 Hz with an acceleration of ± 0.7 g for a period of 4 hours.

(4) Components that may be installed in exposed areas on the open deck or in enclosed spaces not environmentally controlled must be subjected to a low temperature test of -25°C and a high temperature test of 55°C for a period of 2 hours at each temperature. At the end of each test, the components are to be switched on and must function normally under the test conditions.

(5) Components that may be installed in enclosed spaces that are environmentally controlled, including an engine room, must be subjected to a low temperature test at 0°C and a high temperature test at 55°C , for a period of 2 hours at each temperature. At the end of each test, the components are to be switched on and must function normally under the test conditions.

(6) Components must be switched off for a period of 2 hours at a temperature of 55°C in an atmosphere with a relative humidity of 90 percent. At the end of this period, the components must be switched on and must operate satisfactorily for 1 hour under the test conditions.

(7) Components that may be installed in exposed areas on the open deck must be subjected to tests for protection against heavy seas in accordance with IP 56 of publication IEC 60529 (incorporated by reference, *see* § 162.060-5) or its equivalent.

(8) Components must operate satisfactorily with a voltage variation of ± 10 percent together with a simultaneous frequency variation of ± 5 percent, and a transient voltage of ± 20 percent together with a simultaneous transient frequency of ± 10 percent and transient recovery time of 3 seconds.

(9) The components of a BWMS must be designed to operate when the vessel is upright and inclined at any angle of list up to and including 15° either way under static conditions and 22.5° under dynamic, rolling conditions either way and simultaneously inclined dynamically (pitching) 7.5° by bow or stern. Deviation from these angles may be permitted only upon approval of a written waiver submitted to the Coast Guard in accordance with § 162.060-10(b)(1) of this subpart, taking into consideration the type, size, and service conditions and locations of the vessels and operational functioning of the

equipment for where the system will be used. Any deviation permitted must be documented in the type-approval certificate.

(10) The same component(s) must be used for each test required by this section and testing must be conducted in the order in which the tests are described, unless otherwise authorized by the Coast Guard.

(b) There must be no cracking, softening, deterioration, displacement, breakage, leakage, or damage of components or materials that affect the operation or safety of the BWMS after each test. The components must remain operable after all tests.

§ 162.060-32 Testing and evaluation requirements for active substances, preparations, and relevant chemicals.

(a) A ballast water management system (BWMS) may not use an active substance or preparation that is a pesticide unless the sale and distribution of such pesticide is authorized under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for use in ballast water treatment prior to submission to the Coast Guard for approval of the BWMS. This requirement does not apply to the use of active substances or preparations generated solely by the use of a device (as defined under FIFRA) onboard the same vessel as the ballast water to be treated.

(b) The manufacturer of a BWMS that uses an active substance or preparation that is not a pesticide, or that uses a pesticide that is generated solely by the use of a device (as defined under FIFRA) onboard the same vessel as the ballast water to be treated, must prepare an assessment demonstrating the effectiveness of the BWMS for its intended use, appropriate dosages over all applicable temperatures, hazards of the BWMS, and means for protection of the environment, and public health. This assessment must accompany the application package submitted to the Coast Guard.

§ 162.060-34 Test Report requirements.

The Test Report prepared and submitted by an independent laboratory must be formatted as set out below.

The Test Report must include, in addition to the information required by 46 CFR 159.005-11, information as follows:

(a) Summary statement with the following information:

(1) Name of the independent laboratory (IL) and all test facilities, subcontractors, and test organizations involved in testing the ballast water management system (BWMS).

(2) Name of manufacturer.

(3) BWMS model name.

(4) The IL's assessment that the BWMS—

(i) Has demonstrated, under the procedures and conditions specified in this subpart for both land-based and shipboard testing, that it meets the ballast water discharge standard requirements of 33 CFR part 151, subparts C and D;

(ii) Is designed and constructed according to the requirements of § 162.060-20 of this subpart;

(iii) Is in compliance with all applicable U.S. Environmental Protection Agency (EPA) requirements;

(iv) Operates at the rated capacity, performance, and reliability as specified by the manufacturer;

(v) Contains control and monitoring equipment that operates correctly;

(vi) Was installed in accordance with the technical installation specification of the manufacturer for all tests; and

(vii) Was used to treat volumes and flow rates of ballast water during the shipboard tests consistent with the normal ballast operations of the vessel.

(b) Executive summary.

(c) Introduction and background.

(d) Description of the BWMS.

(e) For each test conducted, summary descriptions of—

(1) Test conditions;

(2) Experimental design;

(3) Methods and procedures; and

(4) Results and discussion.

(f) Appendices, including—

(1) Complete Test Plans for land-based, shipboard, and component tests, for which an EPA Environmental Technology Verification (ETV) Verification Report produced in accordance with the ETV Protocol can substitute for the land-based test plan;

(2) Manufacturer supplied Operation, Maintenance, and Safety Manual that meets the requirements of § 162.060-38 of this subpart;

(3) Data generated during testing and evaluations;

(4) Quality Assurance and Quality Control records;

(5) Maintenance logs;

(6) Relevant records and tests results maintained or created during testing;

(7) Information on hazardous materials, active substances, relevant chemicals, and pesticides as detailed in paragraph (g) of this section; and

(8) Permits, registrations, restrictions, and regulatory limitations on use.

(g) The Test Report for a BWMS that may incorporate, use, produce, generate as a by-product and/or discharge hazardous materials, active substances, relevant chemicals and/or pesticides during its operation must include the following information in the appendix of the Test Report:

(1) A list of each active substance or preparation used in the BWMS. For each active substance or preparation that is a pesticide and is not generated solely by the use of a device onboard the same vessel as the ballast water to be treated, the appendix must also include documentation that the sale or distribution of the pesticide is authorized under the Federal Insecticide, Fungicide, and Rodenticide Act for use for ballast water treatment. For all other active substances or preparations, the appendix must include documentation of the assessment specified in § 162.060-32(b) of this subpart.

(2) A list of all hazardous materials, including the applicable hazard classes, proper shipping names, reportable quantities as designated by 40 CFR 117.1, and chemical names of all components.

§ 162.060-36 Quality Assurance Project Plan (QAPP) requirements.

The approval testing and evaluation process must contain a rigorous Quality Assurance and Quality Control program consisting of a QAPP developed in accordance with ISO/IEC 17025:2005(E), as amended ISO/IEC 17025:2005/Cor.1:2006(E) (incorporated by

reference, *see* §162.060-5). The independent laboratory performing approval tests and evaluations is responsible for ensuring the appropriate Quality Assurance and Quality Control procedures are implemented.

§ 162.060-38 Operation, Maintenance, and Safety Manual (OMSM).

(a) Each OMSM must include the following sections:

- (1) Table of contents.
- (2) Manufacturer's information.
- (3) Principles of ballast water management system (BWMS) operation, including—
 - (i) A complete description of the BWMS, methods and type(s) of technologies used in each treatment stage of the BWMS;
 - (ii) The theory of the BWMS' operation;
 - (iii) Any process or technology limitations of the BWMS;
 - (iv) Performance ranges and expectations of the system; and
 - (v) A description of the locations and conditions for which the BWMS is intended.
- (4) Major system components and shipboard application, including—
 - (i) A general description of the materials used for construction and installation of the BWMS;
 - (ii) A list of each major component that may be fitted differently in different vessels with a general description of the different arrangements schemes;
 - (iii) Any vessel type(s), services, or locations where the BWMS is not intended to be used;
 - (iv) Maximum and minimum flow and volume capacities of the BWMS;
 - (v) The dimensions and weight of the complete BWMS and required connection and flange sizes for all major components;
 - (vi) A description of all actual or potential effects of the BWMS on the vessel's ballast water, ballast water tanks, and ballast water piping and pumping systems;
 - (vii) A list of all active substances, relevant chemicals, and pesticides generated or stored onboard the vessel to be used by the BWMS; and

(viii) Information on whether the BWMS is designed to be used in hazardous locations.

(5) System and major system component drawings as applicable, including—

- (i) Process flow diagram(s) of the BWMS showing the main treatment processes, chemicals, and monitoring and control devices for the BWMS;
 - (ii) Footprint(s), drawings, and system schematics showing all major components and arrangements;
 - (iii) Drawings, containing a bill of materials, for the pumping and piping arrangements, and all related equipment provided with the BWMS;
 - (iv) All treatment application points, waste or recycling streams, and all sampling points integral to the BWMS;
 - (v) All locations and the sizes of all piping and utility connections for power, water, compressed air or other utilities as required by the BWMS;
 - (vi) Electrical wiring diagrams that include the location and electrical rating of power supply panels and BWMS control and monitoring equipment;
 - (vii) Unit(s), construction materials, standards, and labels on all drawings of equipment, piping, instruments, and appurtenances; and
 - (viii) An index of all drawings and diagrams.
- (6) A description of the BWMS's control and monitoring equipment and how it will be integrated with the existing shipboard ballast system, including—
- (i) Power demand;
 - (ii) Main and local control panels;
 - (iii) Power distribution system;
 - (iv) Power quality equipment;
 - (v) Instrumentation and control system architecture;
 - (vi) Process control description;
 - (vii) Operational set points, control loops, control algorithms, and alarm settings for routine maintenance, and emergency operations; and
 - (viii) All devices required for measuring appropriate parameters, such as pressure, temperature, flow rate, water quality, power, and chemical residuals.
- (7) A description of all relevant standard operating procedures including, but not limited to—
- (i) BWMS start-up and shutdown procedures and times;

(ii) Emergency shutdown and system by-pass procedures;

(iii) Requirements to achieve treatment objectives (e. g., time following initial treatment, critical dosages, residual concentrations, etc);

(iv) Operating, safety, and emergency procedures;

(v) BWMS limitations, precautions, and set points;

(vi) Detailed instructions on operation, calibration and zeroing of each monitoring device used with the BWMS; and

(vii) Personnel requirements for the BWMS, including number and types of personnel needed, labor burden, and operator training or specialty certification requirements.

(8) A description of the preventive and corrective maintenance requirements of the BWMS, including—

(i) Inspection and adjustment procedures;

(ii) Troubleshooting procedures;

(iii) An illustrated list of parts and spare parts;

(iv) A list of recommended spare parts to have during installation and operation of the BWMS;

(v) Use of tools and test equipment in accordance with the maintenance procedures; and

(vi) Point(s) of contact for technical assistance.

(9) A description of the health and safety risks to the personnel associated with the installation, operation, and maintenance of the BWMS including, but not limited to—

(i) The storage, handling, and disposal of any hazardous wastes;

(ii) Any health and safety certification/training requirements for personnel operating the BWMS; and

(iii) All material safety data sheets for hazardous or relevant chemicals used, stored, or generated by or for the system.

(b) If any information in the OMSM changes as a result of approval testing and evaluations, a new OMSM must be submitted.

§ 162.060–40 Requirements for Independent Laboratories (ILs).

(a) For designation by the Coast Guard as an independent laboratory for the evaluation, inspection, and testing

of BWMS, an independent laboratory must demonstrate compliance with 46 CFR 159.010–3, 46 CFR 159.010–5, and 46 CFR 159.010–11 through 159.010–19.

(b) Each request for designation as an independent laboratory authorized under paragraph (a) of this section must be delivered to the 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, in a written or electronic format.

(c) A list of independent laboratories designated by the Coast Guard under paragraph (b) of this section may be found at <http://cgmix.uscg.mil/>, or may be obtained by contacting the 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.

[USCG–2001–10486, 77 FR 17311, Mar. 23, 2012, as amended by USCG–2013–0671, 78 FR 60161, Sept. 30, 2013]

EFFECTIVE DATE NOTE: Amendments to §162.060–40 were published at 89 FR 76704, Sept. 18, 2024, effective Oct. 18, 2024.

§ 162.060–42 Responsibilities for Independent Laboratories (ILs).

(a) Upon receipt of a request from a manufacturer for approval testing of a ballast water management system (BWMS), the independent laboratory will conduct a readiness evaluation and determine the acceptability of the BWMS for testing.

(1) The readiness evaluation will examine the design and construction of the BWMS to determine whether there are any fundamental problems that might constrain the ability of the BWMS to manage ballast water as proposed by the manufacturer or to operate it safely onboard vessels. This evaluation must determine that the BWMS—

(i) Is designed and constructed according to the requirements of § 162.060–20 of this subpart;

(ii) Meets all existing safety and environmental regulatory requirements for all locations and conditions where the system will be operated during the testing and evaluation period; and

(iii) Meets the definition of a complete BWMS, as defined in this subpart,

to include both ballast water treatment equipment and control and monitoring equipment. Only complete systems in the configurations in which they are intended for sale and use will be accepted for type-approval testing.

(2) The independent laboratory has the right to reject a proposed BWMS for type-approval testing if it does not satisfy the requirements in paragraph (a)(1) of this section, is not deemed ready for approval testing or if, for technical or logistical reasons, that independent laboratory does not have the capability to accommodate the BWMS for testing or evaluation.

(3) Upon determination that the BWMS is ready for testing, the independent laboratory will notify the Commanding Officer (MSC), Attn: Marine Safety Center, U.S. Coast Guard Stop 7430, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7430, or by email to msc@uscg.mil, and provide the estimated date for commencement of type-approval testing.

(b) The independent laboratory must prepare a written Test Plan for each approval test to be completed, in accordance with §162.060-24 of this subpart.

(c) Prior to land-based testing, the independent laboratory must ensure that the BWMS supplied by the manufacturer is set up in accordance with the BWMS' Operation, Maintenance, and Safety Manual (OMSM).

(d) Prior to shipboard testing, the independent laboratory must ensure that the BWMS supplied by the manufacturer is installed in a vessel in accordance with the OMSM and the vessel's administration's requirements and can be tested in accordance with §162.060-28 of this subpart.

(e) Prior to commencing land-based or shipboard testing required under this subpart, the independent laboratory must require the BWMS manufacturer to sign a written statement to attest that the system was properly assembled and installed at the test facility or onboard the test vessel.

(f) The independent laboratory or its subcontractor(s) must conduct all approval testing and evaluations in accordance with testing requirements of this subpart and within the range or rated capacity of the BWMS.

(g) Upon completion of all approval tests and evaluations, the independent laboratory must follow the requirements of §162.060-34 of this subpart and forward a complete Test Report to the Commanding Officer (MSC), Attn: Marine Safety Center, U.S. Coast Guard Stop 7430, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7430, or by email to msc@uscg.mil.

[USCG-2001-10486, 77 FR 17311, Mar. 23, 2012, as amended by 77 FR 33970, June 8, 2012; USCG-2013-0671, 78 FR 60161, Sept. 30, 2013; USCG-2015-0867, 80 FR 62470, Oct. 16, 2015 ; USCG-2016-0498, 82 FR 35093, July 28, 2017; USCG-2018-0874, 84 FR 30883, June 28, 2019]

Subpart 162.161—Fixed Clean Agent Fire Extinguishing Systems

SOURCE: USCG-2006-24797, 77 FR 33886, June 7, 2012, unless otherwise noted.

§ 162.161-1 Scope.

(a) This subpart applies to each engineered fixed fire extinguishing system using a halocarbon or an inert gas as an agent. It does not apply to pre-engineered systems.

(b) Each system must be designed for protection against fires in both Class B flammable liquids and Class C energized electrical equipment, as those hazard classes are defined in NFPA 2001 (incorporated by reference, see §162.161-2).

(c) Each system must meet the requirements of this subpart, be listed or approved by an independent laboratory approved by the Coast Guard and listed at <http://cgmix.uscg.mil/>, bear the mark of the laboratory, and be approved by the Coast Guard under 46 CFR 159.005-13.

§ 162.161-2 Incorporation by reference.

(a) Certain material is incorporated by reference into this subpart with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish a notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at Coast

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Guard Headquarters. Contact Commandant (CG-OES), Attn: Office of Operating and Environmental Standards, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593-7509. The material is also available from the sources indicated in this section, and is available from the sources listed below. It is also available for inspection at 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.

(b) International Maritime Organization (IMO), Publications Section, 4 Albert Embankment, London SE1 7SR, United Kingdom, telephone + 44 (0)20 7735 7611, www.imo.org.

(1) MSC/Circ. 848, Revised Guidelines for The Approval of Equivalent Fixed Gas Fire-Extinguishing Systems, as Referred to in SOLAS 74, for Machinery Spaces and Cargo Pump-Rooms (June 8, 1998), (“MSC/Circ. 848”), IBR approved for § 162.161-6.

(2) MSC.1/Circ. 1267, Amendments to Revised Guidelines for the Approval of Equivalent Fixed Gas Fire-Extinguishing Systems, as Referred to in SOLAS 74, for Machinery Spaces and Cargo Pump-Rooms (MSC/Circ. 848) (June 4, 2008), (“MSC.1/Circ. 1267”), IBR approved for § 162.161-6.

(c) National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02169-7471, telephone 617-770-3000, <http://www.nfpa.org>.

(1) NFPA 2001, Standard on Clean Agent Fire Extinguishing Systems, 2008 Edition, (“NFPA 2001”), IBR approved for §§ 162.161-1 and 162.161-3.

(2) [Reserved]

(d) Underwriters Laboratories, Inc. (UL), 333 Pfingsten Road, Northbrook, IL 60062, telephone 847-272-8800, www.ul.com.

(1) UL 2127, Standard for Safety for Inert Gas Clean Agent Extinguishing System Units (Revised March 22, 2001), (“UL 2127”), IBR approved for §§ 162.161-5, 162.161-6 and 162.161-7.

(2) UL 2166, Standard for Safety for Halocarbon Clean Agent Extinguishing System Units (Revised March 22, 2001),

(“UL 2166”), IBR approved for §§ 162.161-5, 162.161-6 and 162.161-7.

[USCG-2006-24797, 77 FR 33886, June 7, 2012, as amended by USCG-2013-0671, 78 FR 60161, Sept. 30, 2013]

§ 162.161-3 Materials.

(a) All system components must meet the requirements of NFPA 2001 (incorporated by reference, see § 162.161-2) and be made of metal, except for bushings, o-rings, and gaskets. Aluminum or aluminum alloys may not be used.

(b) Metal components must:

(1) Have a solidus melting point of at least 1700 °F;

(2) Be corrosion resistant; and

(3) Be galvanically compatible with each adjoining metal component, or if galvanically incompatible, be separated by a bushing, o-ring, gasket, or similar device.

(c) Each extinguishing agent must be:

(1) Listed as an acceptable total flooding agent for occupied areas on the Environmental Protection Agency's Significant New Alternative Products (SNAP) list, 40 CFR part 82, subpart G, Appendix A; and

(2) Identified as an extinguishing agent in NFPA 2001 (incorporated by reference, see § 162.161-2).

(d) The extinguishing concentration of extinguishing agent required for each system must be determined by the cup burner method, described in NFPA 2001 (incorporated by reference, see § 162.161-2), for the specific fuel requiring the highest extinguishing concentration.

(e) The design concentration of the agent required for each protected space must be calculated using a safety factor of 1.3 times the extinguishing concentration. The quantity must be calculated at the minimum expected ambient temperature using the design concentration based on either:

(1) Gross volume, including the casing, bilge, and free air contained in air receivers; or

(2) Net volume, calculated as shown in NFPA 2001 (incorporated by reference, see § 162.161-2), including the casing, bilge, and free air contained in air receivers, if one of the following is satisfactorily performed:

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- (i) Full discharge test; or
- (ii) Enclosure integrity procedure in accordance with Annex C of NFPA 2001; for discharge or enclosure integrity tests, the minimum concentration hold time must be 15 minutes, and the extinguishing agent concentration at the end of the hold time must be at least 85 percent of the design concentration.
- (f) If fuel can drain from the compartment being protected to an adjacent compartment or if the compartments are not entirely separate, the quantity must be sufficient for both compartments.

§ 162.161-4 Construction.

- (a) Each pressure vessel must comply with 46 CFR 147.60(a) and (b).
- (b) Each system must be capable of operation without an external power source.
- (c) Manual actuation for the system must be by mechanical or pneumatic means.
- (d) Automatically actuated systems must be released by pneumatic or fusible element detection systems.
- (e) Each system installed with the extinguishing agent cylinders stored inside a protected space of 6,000 cubic feet or less must use automatic actuation as the primary means of actuation and have a remote backup manual mechanical actuator.
- (f) Each container charged with nitrogen must have a pressure gauge.

§ 162.161-5 Instruction manual for design, installation, operation, and maintenance.

- (a) The manufacturer must prepare a system instruction manual for design, installation, operation, and maintenance of the system. The manual must be reviewed and accepted by an independent laboratory listed in 46 CFR 162.161-10 and approved by the Coast Guard under 46 CFR 159.005-13.
- (b) The manual must include:
 - (1) The design information as required in the Design Manual as detailed in UL 2166 (incorporated by reference, see § 162.161-2) for halocarbon systems and UL 2127 (incorporated by reference, see § 162.161-2) for inert gas systems;
 - (2) Installation, operation, and maintenance instructions as required in the

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Installation, Operation, and Maintenance Instruction Manual detailed in UL 2166 for halocarbon systems and UL 2127 for inert gas systems;

- (3) Identification of the computer program listed or approved by the independent laboratory for designing the system;
- (4) A sample diagram and calculation for a marine system for a large inspected vessel with several spaces to be protected by the same system;
- (5) The approval number issued by the Coast Guard for the system under 46 CFR 159.005-13;
- (6) A parts list with manufacturer's part numbers and a description of each system component;
- (7) An index of chapters; and
- (8) Issue and revision dates for each page.
- (c) The manufacturer of each system must provide at least one copy of the system manual with each system.

§ 162.161-6 Tests for approval.

Prior to approval by an independent laboratory each system must:

- (a) Satisfy the test method of MSC/Circ. 848 as amended by MSC.1/Circ. 1267 (both incorporated by reference, see § 162.161-2), except that:
 - (1) The Fire Type A (Tell tale) test must be conducted when the charged system cylinders have been conditioned for 24 hours at 32 °F or at the expected service temperature, if lower than 32 °F.
 - (2) [Reserved]
 - (b) Satisfy the following test requirements as indicated in UL 2166 (incorporated by reference, see § 162.161-2) for halocarbon systems or UL 2127 for inert gas systems (incorporated by reference, see § 162.161-2):
 - (1) Nozzle distribution;
 - (2) Flow calculation method verification to determine that the manufacturer's calculation method accurately predicts the discharge time, nozzle pressure, and distribution of the extinguishing agent;
 - (3) Salt spray corrosion resistance for marine-type systems;
 - (4) Vibration resistance of installed components for marine-type systems; and
 - (5) Any additional tests contained in UL 2166 for halocarbon systems or UL

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2127 for inert gas systems, as required for listing by the independent laboratory.

(c) Equivalent length of installed components must be identified and included in the test report in accordance with UL 2166 (incorporated by reference, see §162.161-2) for halocarbon systems or UL 2127 (incorporated by reference, see §162.161-2) for inert gas systems.

§ 162.161-7 Inspections at production.

(a) The system must be inspected in accordance with this section and 46 CFR 159.007-1 through 159.007-13, and tested using any additional tests that the Commandant (CG-5214) may deem necessary to maintain control of quality and to ensure compliance with this subpart.

(b) The manufacturer must:

(1) Institute procedures to maintain control over the materials used, over the manufacturing of the systems, and over the finished systems;

(2) Admit the independent laboratory inspector and any representative of the Coast Guard to any place where work is being done on systems and any place where parts or complete systems are stored;

(3) Allow the independent laboratory inspector and any representative of the Coast Guard to take samples of systems for tests prescribed by this subpart; and

(4) Conduct a leakage test on each system cylinder-valve assembly in accordance with subsections 57.1 through 57.4.2 of UL 2166 (incorporated by reference, see §162.161-2) for halocarbon systems or subsection 55.4 of UL 2127 (incorporated by reference, see §162.161-2) for inert gas systems.

§ 162.161-8 Marking.

The following information must be displayed on a permanent metal or pressure-sensitive nameplate attached to each agent storage cylinder/valve assembly:

(a) Manufacturer's name, address, and telephone number;

(b) Coast Guard approval number assigned to the system under 46 CFR 159.005-13;

(c) Identifying mark of the laboratory;

(d) Reference to the laboratory's listing standard;

(e) Type of extinguishing agent;

(f) Operating pressure at 70 °Fahrenheit;

(g) Storage temperature range;

(h) Factory test pressure of the cylinder;

(i) Reference to the manufacturer's marine design, installation, operation, and maintenance manual;

(j) Weight of agent charge and gross weight of cylinder/valve assembly;

(k) Minimum maintenance instructions; and

(l) Any other information required by the laboratory or another government agency.

§ 162.161-9 Procedure for approval.

(a) Preapproval review is required as detailed in 46 CFR 159.005-5 and 159.005-7.

(b) Applications for approval must be submitted in accordance with 46 CFR 159.005-9 through 159.005-12 to the Commandant (CG-5214). In addition to the listed requirements:

(1) Evidence must be shown that an acceptable follow-up factory inspection program is in place in each factory location. This could be demonstrated by providing an original copy of the contract for a follow-up program between the manufacturer and the independent laboratory. The follow-up program must include provisions that prohibit changes to the approved equipment without review and approval by the independent laboratory.

(2) Two design, installation, operation and maintenance manuals must be submitted.

Subpart 162.163—Portable Foam Applicators

SOURCE: USCG-2012-0196, 81 FR 48279, July 22, 2016, unless otherwise noted.

§ 162.163-1 Scope.

This subpart prescribes requirements for approval of portable foam applicators, each consisting of a portable foam nozzle, eductor, pick-up tube, and a portable supply of foam concentrate, in ro-ro spaces and certain machinery

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spaces, as required by the International Convention for the Safety of Life at Sea (SOLAS).

§ 162.163-2 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish a notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the U.S. Coast Guard, Office of Design and Engineering Standards (CG-ENG), 2703 Martin Luther King Jr. Avenue SE., Stop 7509, Washington, DC 20593-7509, and is available from the sources listed below. It is also available for inspection at 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>.

(b) UL (formerly Underwriters Laboratories), 12 Laboratory Drive, P.O. Box 13995, Research Triangle Park, NC 27709, 919-549-1400, <http://www.ul.com>.

(1) UL 162, Standard for Safety for Foam Equipment and Liquid Concentrates, Seventh Edition, dated March 30, 1994, as amended through October 10, 2014, IBR approved for §§ 162.163-3(d) through (f), and 162.163-4(a) and (c).

(2) [Reserved]

§ 162.163-3 Performance, design, construction, testing, and marking requirements.

(a) The portable foam applicator must produce foam suitable for extinguishing an oil fire at a minimum foam solution rate of 200 l/min (53 gpm).

(b) The portable foam applicator must have a portable tank containing 20 liters or more of foam concentrate, along with one 20-liter spare tank. Five gallon (19 liter) foam concentrate pails are an acceptable substitute for the 20-liter tanks.

(c) Requirements for carriage of portable foam applicators may be met by the carriage of either:

(1) Portable foam applicators in accordance with this subpart, with either integral or separate eductors of fixed percentage and foam concentrate designed, constructed, tested, marked, and approved in accordance with the provisions of this section; or

(2) Components and foam concentrate from deck and heli-deck foam systems approved under approval series 162.033 of this part. Suitable components include mechanical foam nozzles with pick-up tubes, and mechanical foam nozzles with separate inline eductors, along with the corresponding foam concentrate.

(d) Each portable foam applicator to be approved under the provisions of this subpart must be of brass or bronze, except for hardware and other incidental parts which may be of rubber, plastic, or stainless steel and, in combination with a foam concentrate, must be designed, constructed, tested, and marked in accordance with the requirements of UL 162 (incorporated by reference, see § 162.163-1).

(e) All inspections and tests required by UL 162 must be performed by an independent laboratory accepted by the Coast Guard under subpart 159.010 of this chapter. A list of independent laboratories accepted by the Coast Guard as meeting subpart 159.010 of this chapter may be obtained by contacting the Commandant (CG-ENG-4) or at <http://cgmix.uscg.mil/eqlabs/>.

(f) The independent laboratory must prepare a report on the results of the testing and must furnish the manufacturer with a copy of the test report upon completion of the testing required by UL 162.

§ 162.163-4 Approval procedures.

(a) Portable foam applicators designed, constructed, tested, and marked in accordance with UL 162 (incorporated by reference, see § 162.163-1) are eligible for approval under the provisions of this chapter.

(b) A follow-up program must be established and maintained to ensure that no unauthorized changes have been made to the design or manufacture of type approved portable foam applicators. Acceptable follow-up programs include factory inspection programs administered by the accepted

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independent laboratory that performed the initial inspections and tests relied on by the type approval holder, or special configuration control programs implemented through a quality control flow chart and core procedures administered by the manufacturer and certified by an international standards agency such as the International Organization for Standardization (ISO).

(c) Applicants seeking type approval of portable foam applicators must submit:

(1) A cover letter requesting type approval of the equipment;

(2) A test report from the accepted independent laboratory showing compliance of the portable foam applicator with UL 162;

(3) A copy of the contract for a follow-up program with the accepted independent laboratory; and

(4) Documentation of the portable foam applicator, including an exterior drawing, assembly drawing, components list, and bill of material.

(d) All documentation must either be mailed to Commandant (CG-ENG-4), United States Coast Guard, 2703 Martin Luther King Jr. Avenue SE., Stop 7509, Washington, DC 20593-7509 or electronically submitted to typeapproval@uscg.mil.

(e) Upon evaluation of the submittal package and approval by the Commandant, a Coast Guard Certificate of Approval will be issued valid for 5 years so long as the follow-up program for the portable foam applicators is maintained.

(f) Upon application, a Certificate of Approval for a portable foam applicator may be renewed for successive 5-year periods without further testing so long as no changes have been made to the products, the follow-up program has been maintained, and no substitutions of or changes to the standards listed in § 162.027-2 have been made.

PART 163—CONSTRUCTION

Subpart 163.001 [Reserved]

Subpart 163.002—Pilot Hoist

Sec.

163.002-1 Scope.

163.002-3 Applicable technical regulations.

163.002-5 Definitions.

163.002-7 Independent laboratory.

163.002-9 Approval procedure.

163.002-11 Materials.

163.002-13 Construction.

163.002-15 Performance.

163.002-17 Instructions and marking.

163.002-21 Approval tests.

163.002-25 Marking.

163.002-27 Production tests and examination.

Subpart 163.003—Pilot Ladder

163.003-1 Scope.

163.003-3 ASTM standard.

163.003-7 Independent laboratory.

163.003-9 Approval procedure.

163.003-11 Materials.

163.003-13 Construction.

163.003-15 Performance.

163.003-17 Strength.

163.003-21 Approval tests.

163.003-25 Marking.

163.003-27 Production tests and examination.

AUTHORITY: 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; DHS Delegation No. 00170.1, Revision No. 01.3.

EFFECTIVE DATE NOTE: Amendments to part 163 were published at 89 FR 76704, Sept. 18, 2024, effective Oct. 18, 2024.

SOURCE: CGFR 50-30, 16 FR 1086, Feb. 6, 1951, unless otherwise noted.

Subpart 163.001 [Reserved]

Subpart 163.002—Pilot Hoist

SOURCE: CGD 74-140, 46 FR 63287, Dec. 31, 1981, unless otherwise noted.

EFFECTIVE DATE NOTE: Amendments to subpart 163.002 were published at 89 FR 76704, Sept. 18, 2024, effective Oct. 18, 2024.

§ 163.002-1 Scope.

(a) This subpart contains standards and approval and production tests for pilot hoists used on merchant vessels.

(b) The requirements in this subpart apply to a pilot hoist designed for use along a vertical portion of a vessel's hull.

§ 163.002-3 Applicable technical regulations.

(a) This subpart makes reference to the following Coast Guard regulations in this chapter:

(1) Subpart 58.30 (Fluid Power and Control Systems).