

Subpart 30.01—Administration

§ 30.01-1 Purpose of regulations.

The rules and regulations in this subchapter are prescribed for all tank vessels in accordance with the intent of the various statutes administered by the Coast Guard and to provide for a correct and uniform administration of the vessel inspection requirements applicable to tank vessels. The regulations in this subchapter (parts 30, 31, 32, 34, 35, 36, 38 and 39) have preemptive effect over state or local regulations in the same fields.

[CGFR 68-32, 33 FR 5712, Apr. 12, 1968, as amended by USCG-2012-0196, 81 FR 48247, July 22, 2016]

§ 30.01-2 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and record-keeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 31.10-5(a)	1625-0038
§ 31.10-21	1625-0032
§ 31.10-22	1625-0032
§ 31.10-32	1625-0038
§ 31.10-33	1625-0038
§ 31.37-15	1625-0038
§ 31.40-35	1625-0038
§ 35.20-7	1625-0064
§ 35.35-30	1625-0039
§ 39.10-13	1625-0038

[49 FR 38120, Sept. 27, 1984, as amended by CGD 89-037, 57 FR 41821, Sept. 11, 1992; USCG-2004-18884, 69 FR 58345, Sept. 30, 2004]

§ 30.01-3 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 at 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; telephone 202-372-1405, and is available from the sources listed below.

(b) American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, telephone 610-832-9585, <http://www.astm.org>.

(1) ASTM D 323-94, Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method), incorporation by reference approved for §§ 30.10-22; 30.10-59.

(2) [Reserved]

[USCG-2009-0702, 74 FR 49226, Sept. 25, 2009, as amended by USCG-2013-0671, 78 FR 60146, Sept. 30, 2013]

§ 30.01-5 Application of regulations—TB/ALL.

NOTE: 33 CFR subchapter O (parts 151 through 157) contains additional design, equipment, and operations requirements relating to pollution prevention for vessels that carry oil.

(a) The regulations in this subchapter contain requirements for materials, design, construction, inspection, manning, and operation of tank vessels, including handling and stowage of cargo and duties of officers and crew. However, vessels certificated as passenger, cargo, and miscellaneous vessels, whose principal purpose or use is not the carriage of flammable or combustible liquid cargo in bulk, may be granted a permit to carry limited quantities of flammable or combustible liquid cargo in bulk in the grades indicated:

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(1) Passenger vessels:
(i) Grade E in an integral tank; and
(ii) Grade E in a portable tank, including a marine portable tank (MPT), in accordance with subpart 98.30 or 98.33 of this chapter.

(2) Cargo vessels:
(i) Grades D and E in an integral tank; and
(ii) Grades D and E and certain specifically named Grade C in a portable tank, including an MPT, in accordance with subpart 98.30 or 98.33 of this chapter.

(3) Miscellaneous vessels, such as cable, salvage, pile-driving and oil-drilling-rig vessels:

(i) Grades B, C, D, and E in a fixed independent or integral tank authorized by the Commandant; and

(ii) Grades D and E and certain specifically named Grade C in a portable tank, including an MPT, in accordance with subpart 98.30 or 98.33 of this chapter.

(b) [Reserved]

(c) The vessels and services to which each regulation applies are indicated by letters in the heading of the section or paragraph. The first letter or two letters indicate the type of vessel and the letter or letters following the oblique line indicate the waters in which such vessels may operate. These letters are described as follows:

(1) "T" signifies a tankship.

(2) "B" signifies a tank barge when it precedes an oblique line; or it signifies service on bays, sounds, and lakes other than the Great Lakes when it follows an oblique line.

(3) "ALL" signifies service on all waters.

(4) "O" signifies service on ocean waters.

(5) "C" signifies services on coastwise waters.

(6) "L" signifies service on Great Lakes waters.

(7) "R" signifies service on river waters.

(d) This subchapter is applicable to all U.S.-flag vessels indicated in column 2 of table 2.01-7(a), except as follows:

(1) Any vessel operating exclusively on inland waters which are not navigable waters of the United States.

(2) Any vessel while laid up and dismantled and out of commission.

(3) With the exception of vessels of the U.S. Maritime Administration, any vessel with title vested in the United States and which is used for public purposes.

(e) This subchapter shall be applicable to all foreign flag vessels carrying combustible or flammable liquid cargo in bulk while in the navigable waters over which the United States has jurisdiction, except that:

(1) A vessel of a foreign nation signatory to the International Convention for Safety of Life at Sea, 1974, which has on board a current valid Safety Equipment Certificate, or a vessel of a foreign nation having inspection laws approximating those of the United States, together with reciprocal inspection arrangements with the United States and which has on board a current valid certificate of inspection issued by its government under such arrangements, in either case, shall be subject only to the requirements of §35.01-1 and the safety and cargo handling requirements in subparts 35.30 and 35.35 of this subchapter. In addition, these vessels shall report marine casualties occurring while they are in the navigable waters of the United States as required by subpart 35.15.

(2) A foreign flag vessel, except a public vessel, which operates on or enters the navigable waters of the United States, or which transfers oil in any port or place subject to the jurisdiction of the United States, must comply with the provisions of §31.10-21a and subparts 32.53, 32.59 and 34.05 of this chapter, as applicable.

(f) Notwithstanding the exceptions previously noted in paragraph (e) of this section, foreign vessels of novel design or construction, or whose operation involves potential unusual risks, shall be subject to inspection to the extent necessary to safeguard life and property in United States ports, as further provided by §2.01-13 of subchapter A (Procedures applicable to the Public) of this chapter.

(g) Manned barges carrying any of the cargoes listed in table 30.25-1 will

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be considered individually by the Commandant and may be required to comply with the requirements of subchapter O of this chapter, as applicable, as well as the requirements of this subchapter.

(h) Subpart 30.30 contains procedures for evaluating vessel personnel licensing and certification programs of foreign countries which license or certificate personnel serving on tank vessels that enter or operate in U.S. navigable waters and ports.

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 30.01-5, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 30.01-6 Application to vessels on an international voyage.

(a) Except as provided in paragraphs (b), (c), and (d) of this section, the regulations in this subchapter that apply to a vessel on an *international voyage* apply to a vessel that:

(1) Is mechanically propelled and of at least 500 gross tons; and

(2) Is engaged on a voyage:

(i) From a country to which the International Convention for Safety of Life at Sea, 1974 (SOLAS 74) applies, to a port outside that country or the reverse;

(ii) From any territory, including the Commonwealth of Puerto Rico, all possessions of the United States, and all lands held by the United States under a protectorate or mandate, whose international relations are the responsibility of a contracting SOLAS 74 government, or which is administered by the United Nations, to a port outside that territory or the reverse; or

(iii) Between the contiguous states of the United States and the states of Hawaii or Alaska or between the states of Hawaii and Alaska.

(b) The regulations that apply to a vessel on an *international voyage* in this subchapter do not apply to ships engaged on a voyage solely on the Great Lakes and the St. Lawrence River as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd Meridian;

(c) The Commandant or his authorized representative may exempt any

vessel on an international voyage from the requirements of this subchapter if the vessel:

(1) Makes a single international voyage in exceptional circumstances; and

(2) Meets safety requirements prescribed for the voyage by the Commandant.

(d) The Commandant or his authorized representative may exempt any vessel from the construction requirements of this subchapter if the vessel does not proceed more than 20 nautical miles from the nearest land in the course of its voyage.

[CGD 72-131R, 38 FR 29320, Oct. 24, 1973, as amended by CGD 80-123, 45 FR 64586, Sept. 30, 1980; CGD 90-008, 55 FR 30660, July 26, 1990; CGD 84-069, 61 FR 25286, May 20, 1996; USCG-2001-10224, 66 FR 48619, Sept. 21, 2001]

§ 30.01-7 Ocean or unlimited coastwise vessels on inland and Great Lakes Routes—TB/OC.

(a) Vessels inspected and certificated for ocean or unlimited coastwise routes shall be considered suitable for navigation insofar as the provisions of this subchapter are concerned on any inland route, including the Great Lakes.

§ 30.01-10 Application of regulations governing alterations or repairs—TB/ALL.

When major alterations or major repairs of tank vessels become necessary the work shall be done under the direction of the Officer in Charge, Marine Inspection, and shall be in accordance with the regulations in effect for new construction insofar as possible. When minor alterations or minor repairs of tank vessels become necessary such work shall be under the direction of the Officer in Charge, Marine Inspection, and shall be in accordance with the regulations in effect at the time the vessel was contracted for or built, or in accordance with the regulations in effect for new construction insofar as possible.

§ 30.01-15 Effective date of regulations—TB/ALL.

The regulations in this subchapter are not retroactive in effect unless specifically made so at the time the regulations are issued. Changes in specification requirements of articles of