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(b) The material approved for incorporation by reference in this subpart and the sections affected are as follows:

American National Standards Institute (ANSI)

11 West 42nd Street, New York, NY 10036

ANSI Z 88.2—1980—Practices for Respiratory Protection§197.550

[CGD 88-040, 56 FR 52135, Oct. 17, 1991, as amended by CGD 95-072, 60 FR 50469, Sept. 29, 1995; CGD 96-041, 61 FR 50735, Sept. 27, 1996; 61 FR 52497, Oct. 7, 1996]

§197.515 Permissible exposure limits (PELs).

The permissible exposure limits (PELs) for personal exposure are as follows:

(a) The time-weighted average exposure limit (TWA).

(b) The short-term exposure limit (STEL). Exposures at the STEL must not be repeated more than four times a day. There must be at least 60 minutes between successive exposures at the STEL.

§197.520 Performance standard.

No person may be subjected to a personal exposure in excess of the permissible exposure limits unless respiratory protection is used.

§197.525 Responsibility of the person in charge.

Unless otherwise specified, the person in charge shall ensure that the performance standard and other requirements of this subpart are complied with on that person's vessel.

§197.530 Persons other than employees.

(a) Before a nonemployee (other than Federal, state, and local government personnel) engages in a benzene operation on a vessel in which the person is likely to be exposed to benzene in ex-

cess of the PELs, that person must certify that—

(1) That person has had, within the previous 12 months, at least one medical examination in compliance with §197.560 or 29 CFR 1910.1028;

(2) The physician who performed or who supervised the latest medical examination in compliance with paragraph (a)(1) of this section did not recommend that that person be excluded from areas where personal exposure may exceed the action level;

(3) All respirators and personal protective clothing and equipment that will be used by that person while on the vessel meet the requirements of §197.550(b) and §197.555(c) or of 29 CFR 1910.1028; and

(4) All respirators that will be used by that person while on the vessel have been fitted and fit tested in accordance with §197.550 (c) and (d) or with 29 CFR 1910.1028.

NOTE: The employer need not furnish the required respirators and personal protective clothing and equipment to nonemployees.

(b) The certification required by paragraph (a) of this section must be in writing, list the items in paragraphs (a)(1) through (a)(4) of this section, reference 46 CFR 197.530, state the date of the certification, and be signed by the person making the certification. A sample certification form is contained in appendix F of this subpart.

(c) Before the nonemployee making the certification engages in a benzene operation on a vessel, that person or a representative of the entity which employs that person must show a copy of the certification to the person in charge of the vessel and the person in charge must examine the certification to ensure compliance with the requirements of this section.

§197.535 Regulated areas.

(a) Based on the employer's evaluation of the environmental monitoring, whenever the airborne concentration of benzene within an area exceeds or reasonably can be expected to exceed the permissible exposure limits, the person in charge shall mark the area as a regulated area.