and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

TANK VESSELS OVER 5,000 GROSS TONS TO COMPLY UNTIL JANUARY 1, 2015, WITH ENVIRONMENTALLY PROTECTIVE STRUCTURAL AND OPERATIONAL REQUIREMENTS

Pub. L. 101–380, title IV, § 4115(b), Aug. 18, 1990, 104 Stat. 520, provided that: ''The Secretary shall, within 12 months after the date of the enactment of this Act [Aug. 18, 1990], complete a rulemaking proceeding and issue a final rule to require that tank vessels over 5,000 gross tons affected by section 3703a of title 46, United States Code, as added by this section, comply until January 1, 2015, with structural and operational requirements that the Secretary determines will provide as substantial protection to the environment as is economically and technologically feasible.''

STUDY ON OTHER STRUCTURAL AND OPERATIONAL TANK VESSEL REQUIREMENTS

Pub. L. 101–380, title IV, § 4115(e), Aug. 18, 1990, 104 Stat. 520, as amended by Pub. L. 105–383, title IV, § 423, Nov. 13, 1998, 112 Stat. 3440; Pub. L. 108–293, title VII, § 705, Aug. 9, 2004, 118 Stat. 1075; Pub. L. 109–241, title IX, § 901(n), July 11, 2006, 120 Stat. 565, provided that:

''(1) OTHER REQUIREMENTS.—Not later than 6 months after the date of enactment of this Act [Aug. 18, 1990], the Secretary shall determine, based on recommendations from the National Academy of Sciences or other qualified organizations, whether other structural and operational tank vessel requirements will provide protection to the marine environment equal to or greater than that provided by double hulls, and shall report to the Congress that determination and recommendations for legislative action.

''(2) REVIEW AND ASSESSMENT.—The Secretary shall—

''(A) periodically review recommendations from the National Academy of Sciences and other qualified organizations on methods for further increasing the environmental and operational safety of tank vessels;

''(B) not later than 5 years after the date of enactment of this Act [Aug. 18, 1990], assess the impact of this section on the safety of the marine environment and the economic viability and operational makeup of the maritime oil transportation industry; and

''(C) report the results of the review and assessment to the Congress with recommendations for legislative or other action.

''(3) No later than one year after the date of enactment of the Coast Guard and Maritime Transportation Act of 2004 [Aug. 9, 2004], the Secretary shall, taking into account the recommendations contained in the report by the Marine Board of the National Research Council entitled 'Environmental Performance of Tanker Design in Collision and Grounding' and dated 2001, establish and publish an environmental equivalency evaluation index (including the methodology to develop that index) to assess overall outflow performance due to collisions and groundings for double hull tank vessels and alternative designs.''

TERRITORIAL SEA OF UNITED STATES

For extension of territorial sea of United States, see Proc. No. 5928, set out as a note under section 1331 of Title 43, Public Lands.

§ 3704. Coastwise trade vessels

A segregated ballast tank, a crude oil washing system, or an inert gas system, required by this chapter or a regulation prescribed under this chapter, on a vessel entitled to engage in the coastwise trade under chapter 551 of this title shall be installed in the United States (except the trust territories). A vessel failing to comply with this section may not engage in the coastwise trade.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 522; Pub. L. 109–304, § 15(16), Oct. 6, 2006, 120 Stat. 1703.)

HISTORICAL AND REVISION NOTES

Revised section	*Source section (U.S. Code)*
3704	46:391a(7)

Section 3704 requires any tank vessel that is entitled to engage in the coastwise trade to install certain equipment in the United States under the penalty of losing coastwise trading privileges if the installation work is done in a foreign country.

AMENDMENTS

2006—Pub. L. 109–304 substituted ''chapter 551 of this title'' for ''section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883),''.

§ 3705. Crude oil tanker minimum standards

(a) A new crude oil tanker of at least 20,000 deadweight tons shall be equipped with—

(1) protectively located segregated ballast tanks;

(2) a crude oil washing system; and

(3) a cargo tank protection system consisting of a fixed deck froth system and a fixed inert gas system.

(b)(1) An existing crude oil tanker of at least 40,000 deadweight tons shall be equipped with—

(A) segregated ballast tanks; or

(B) a crude oil washing system.

(2) Compliance with paragraph (1) of this subsection may be delayed until June 1, 1985, for any tanker of less than 70,000 deadweight tons that has dedicated clean ballast tanks.

(c) An existing crude oil tanker of at least 20,000 deadweight tons but less than 40,000 deadweight tons, and at least 15 years of age, shall be equipped with segregated ballast tanks or a crude oil washing system before January 2, 1986, or the date on which the tanker reaches 15 years of age, whichever is later.

(d) An existing crude oil tanker of at least 20,000 deadweight tons shall be equipped with an inert gas system. However, for a crude oil tanker of less than 40,000 deadweight tons not fitted with high capacity tank washing machines, the Secretary may grant an exemption if the vessel's owner can show clearly that compliance would be unreasonable and impracticable due to the vessel's design characteristics.

(e) A crude oil tanker engaged in transferring oil from an offshore oil exploitation or production facility on the Outer Continental Shelf of the United States shall be equipped with segregated ballast tanks, or may operate with dedicated clean ballast tanks or special ballast arrangements. However, the tanker shall comply with other applicable minimum standards of this section.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 523.)

HISTORICAL AND REVISION NOTES

Revised section	*Source section (U.S. Code)*
3705(a)	46:391a(7)(A)

HISTORICAL AND REVISION NOTES—CONTINUED

Revised section	*Source section (U.S. Code)*
3705(b)	46:391a(7)(D)
3705(c)	46:391a(7)(E)
3705(d)	46:391a(7)(F)
3705(e)	46:391a(7)(M)

Section 3705 requires compliance with certain minimum standards by a crude oil tanker, which is self-propelled. In general, the minimum required standards are consistent with those international standards that have been adopted as Protocols to the 1974 Safety of Life at Sea Convention and the 1973 Marine Pollution Convention.

Section 3705(a) requires new crude oil tankers of 20,000 deadweight tons or above to have protectively located segregated ballast tanks, a crude oil washing system, and a specified cargo tank protection system.

Section 3705(b) requires existing crude oil tankers of 40,000 deadweight tons or above to have segregated ballast tanks or a crude oil washing system. Compliance may be delayed until June 1, 1985 for smaller tankers that have dedicated clean ballast tanks.

Section 3705(c) requires existing crude oil tankers of 20,000 deadweight tons or above, but less than 40,000 deadweight tons, that are 15 years or older, to have segregated ballast tanks or a crude oil washing system by January 1, 1985 or if less than 15 years old, by the date on which it reaches 15 years of age.

Section 3705(d) requires existing crude oil tankers of 20,000 deadweight tons or above, to install an inert gas system. An exemption for crude oil tankers of less than 40,000 deadweight tons not fitted with high-capacity tank washing machines may be granted by the Secretary, only if it is demonstrated that compliance would be unreasonable and impracticable due to the vessel's design characteristics.

Section 3705(e) requires existing crude oil tankers of 20,000 deadweight tons or above, engaged in the transfer of oil from Outer Continental Shelf oil exploitation or production facilities, to have segregated ballast tanks or be operated with dedicated clean ballast tanks or special ballast arrangements.

§ 3706. Product carrier minimum standards

(a) A new product carrier of at least 30,000 deadweight tons shall be equipped with protectively located segregated ballast tanks.

(b) A new product carrier of at least 20,000 deadweight tons shall be equipped with a cargo tank protection system consisting of a fixed deck froth system and a fixed inert gas system or, if the product carrier carries dedicated products incompatible with the cargo tank protection system, an alternate protection system authorized by the Secretary.

(c) An existing product carrier of at least 40,000 deadweight tons shall be equipped with segregated ballast tanks or may operate with dedicated clean ballast tanks.

(d) An existing product carrier of at least 20,000 deadweight tons but less than 40,000 deadweight tons, and at least 15 years of age, shall be equipped with segregated ballast tanks or may operate with dedicated clean ballast tanks before January 2, 1986, or the date on which it reaches 15 years of age, whichever is later.

(e) An existing product carrier of at least 40,000 deadweight tons, or an existing product carrier of at least 20,000 deadweight tons but less than 40,000 deadweight tons that is fitted with high-capacity tank washing machines, shall be equipped with an inert gas system.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 523.)

HISTORICAL AND REVISION NOTES

Revised section	*Source section (U.S. Code)*
3706(a)	46:391a(7)(B)
3706(b)	46:391a(7)(C)
3706(c)	46:391a(7)(G)
3706(d)	46:391a(7)(H)
3706(e)	46:391a(7)(I)

Section 3706 requires compliance with certain minimum standards by a product carrier, which is a self-propelled tank vessel.

Section 3706(a) requires new product carriers of 30,000 deadweight tons or above, to have protectively located segregated ballast tanks.

Section 3706(b) requires new product carriers of 20,000 deadweight tons or above, to have a cargo tank protection system consisting of a fixed deck froth system or a fixed inert gas system. If the products carried are incompatible with the cargo tank protection system, then an alternative protection system may be authorized.

Section 3706(c) requires existing product carriers of 40,000 deadweight tons or above, to have segregated ballast tanks or to operate with dedicated clean ballast tanks.

Section 3706(d) requires existing product carriers of 20,000 deadweight tons or above, but less than 40,000 deadweight tons, that are 15 years or older, to have segregated ballast tanks by January 1, 1985, or on the date on which it reaches 15 years of age or, in the alternative, that the vessel operate with dedicated clean ballast tanks.

Section 3706(e) requires existing product carriers of 40,000 deadweight tons or above, or to existing product carriers, fitted with high-capacity tank washing machines, of 20,000 deadweight tons but less than 40,000 deadweight tons, to install an inert gas system.

§ 3707. Tanker minimum standards

(a) A new tanker of at least 10,000 gross tons as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title shall be equipped with—

(1) 2 remote steering gear control systems operable separately from the navigating bridge;

(2) the main steering gear control in the steering gear compartment;

(3) means of communications and rudder angle indicators on the navigating bridge, a remote steering gear control station, and the steering gear compartment;

(4) at least 2 identical and adequate power units for the main steering gear;

(5) an alternative and adequate power supply, either from an emergency source of electrical power or from another independent source of power located in the steering gear compartment; and

(6) means of automatic starting and stopping of power units with attendant alarms at all steering stations.

(b) An existing tanker of at least 10,000 gross tons as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title shall be equipped with—

(1) 2 remote steering gear control systems operable separately from the navigating bridge;

(2) the main steering gear control in the steering gear compartment; and