§ 154.106  Incorporation by reference:

Where can I get a copy of the publications incorporated by reference in this part?

(a) Certain material is incorporated by reference (IBR) 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

33 CFR Ch. I (7–1–10 Edition)
Coast Guard, DHS § 154.106

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 Coast Guard, Office of Port and Facility Activities, Cargo and Facilities Division (CG–5332), 2100 2nd St., SW., Stop 7363, Washington, DC 20593–7363, 202–372–2234 and is available from the sources indicated in this section below.


(c) American National Standards Institute (ANSI), 11 West 42nd Street, New York, NY 10036, 202–293–8020, http://www.ansi.org:


(2) ANSI B16.24, Bronze Pipe Flanges and Flange Fittings Class 150 and 300, 1979, IBR approved for §§ 154.500 and 154.808.


(1) ASTM F631–93, Standard Guide for Collecting Skimmer Performance Data in Controlled Environments, IBR approved for Appendix C.

(2) ASTM F715–95, Standard Test Methods for Coated Fabrics Used for Oil Spill Control and Storage, IBR approved for Appendix C.


(5) ASTM F1155–96, Standard Practice for Selection and Application of Piping System Materials, IBR approved for Appendix A and Appendix B.


(f) National Electrical Manufacturers Association (NEMA), 1300 North 17th Street, Suite 1752, Rosslyn, Virginia 22209, 703–841–3200, http://www.nema.org/:


(2) [Reserved]


(h) Oil Companies International Marine Forum (OCIMF), 29 Queen Anne’s Gate, London, SW1H 9BU, England,
§ 154.107 Alternatives.

(a) The COTP may consider and approve alternative procedures, methods, or equipment standards to be used by a facility operator in lieu of any requirement in this part if:

(1) Compliance with the requirement is economically or physically impractical;

(2) The alternative provides an equivalent level of safety and protection from pollution by oil or hazardous material, which is documented in the request; and

(3) The facility operator submits a written request for the alternative.

(b) The COTP takes final approval or disapproval action on the request, submitted in accordance with paragraph (a) of this section, in writing within 30 days of receipt of the request.

§ 154.108 Exemptions.

(a) The Assistant Commandant for Marine Safety, Security and Environmental Protection, acting for the Commandant, grants an exemption or partial exemption from compliance with any requirement in this part if:

(1) A facility operator submits an application for the exemption via the COTP; and

(2) It is determined, from the application, that:

(i) Compliance with the requirement is economically or physically impractical;

(ii) No alternative procedures, methods, or equipment standards exist that would provide an equivalent level of safety and protection from pollution by oil or hazardous material; and

(iii) The likelihood of oil or hazardous material being discharged is not substantially increased as a result of the exemption.

(b) If requested, the applicant must submit any appropriate information, including an environmental and economic assessment of the effects of and reasons for the exemption, and proposed procedures, methods or equipment standards.

(c) The exemption may specify the procedures, methods, or equipment standards that will apply.

(d) An exemption is granted or denied in writing. The decision of the Assistant Commandant for Marine Safety, Security and Environmental Protection is a final agency action.

§ 154.110 Letter of intent.

(a) The facility operator of any facility to which this part applies must submit a letter of intent to operate a facility or to conduct mobile facility operations to the COTP not less than 60 days before the intended operations unless a shorter period is allowed by the COTP. Previously submitted letters of intent need not be resubmitted.

(b) The letter of intent required by paragraph (a) of this section may be in any form but must contain:

(1) The names, addresses, and telephone numbers of the facility operator and the facility owner;

(2) The name, address, and telephone number of the facility or, in the case of a mobile facility, the dispatching office; and

(3) Except for a mobile facility, the geographical location of the facility in relation to the associated body of navigable waters.

(c) The facility operator of any facility for which a letter of intent has been submitted, shall within five (5) days advise the COTP in writing of any