

by a ship that must discharge NLS residue in order to proceed with repair work, the ship repair yard must have a reception facility that is capable of receiving—

(1) 50 cubic meters (13,210 gallons) of NLS residue that contains a—

- (i) Category A NLS that is not a solidifying NLS;
- (ii) Category B NLS; or
- (iii) Category C NLS; or
- (iv) Category D NLS; or

(2) 75 cubic meters (19,810 gallons) of NLS residue that contains a Category A NLS that is a solidifying NLS cargo.

§ 158.330 Ports and terminals: Equipment.

Each port and terminal except ship repair yards, in order to pass the inspection under § 158.160, must—

(a) At mean low tide and with the ship's manifold 10 feet above the surface of the water, be capable of receiving Category B or C NLS cargo during the stripping operations at an average flow rate of 6 cubic meters (1584 gallons) per hour without the backpressure at the ship's manifold exceeding 101.6 kPa (14.7 pounds per square inch gauge) pressure; and

(b) Have an instruction manual that lists the equipment and procedures for meeting paragraph (a) of this section. The instruction manual may be made part of the operations manual that is required under § 154.300 of this chapter.

Subpart D—Criteria for Adequacy of Reception Facilities: Garbage

SOURCE: CGD 88-002, 54 FR 18409, Apr. 28, 1989, unless otherwise noted.

§ 158.400 Purpose.

The purpose of this subpart is to supply the criteria for determining the adequacy of reception facilities for garbage at ports and terminals that receive ships and to comply with the Act and Regulation 7 of Annex V to MARPOL 73/78.

§ 158.410 Reception facilities: General.

(a) Except as allowed in paragraph (b) of this section, the person in charge of a port or terminal shall ensure that each port or terminal's reception facility.

(1) Is capable after August 28, 1989 of receiving APHIS regulated garbage at a port or terminal no later than 24 hours after notice under § 151.65 of this chapter is given to the port or terminal, unless it only receives ships that—

- (i) Operate exclusively within the navigable waters of the United States;
- (ii) Operate exclusively between ports or terminals in the continental United States; or
- (iii) Operate exclusively between continental United States ports or terminals and Canadian ports or terminals.

(2) Is capable of receiving medical wastes or hazardous wastes defined in 40 CFR 261.3, unless the port or terminal operator can provide to the master, operator, or person in charge of a ship, a list of persons authorized by federal, state, or local law or regulation to transport and treat such wastes;

(3) Is arranged so that it does not interfere with port or terminal operations;

(4) Is conveniently located so that mariners unfamiliar with the port or terminal can find it easily and so that its use will not be discouraged;

(5) Is situated so that garbage from ships which has been placed in it cannot readily enter the water; and

(6) Holds each federal, state, and local permit or license required by environmental and public health laws and regulations concerning garbage handling.

(b) A reception facility for a ship repair yard does not have to meet the requirements of paragraph (a)(1) of this section if it is capable of handling the transfer of garbage from a ship before the ship departs from the yard.

NOTE: The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) requires victual wastes or garbage contaminated by victual wastes, except from vessels that operate only between the continental United States and Canadian ports, to be incinerated or sterilized in accordance with their regulations in 7 CFR 330.400 and 9 CFR 94.5.

§ 158.420 Reception facilities: Capacity and exceptions.

Each day a port or terminal is in operation, the person in charge of a port or terminal must provide, or ensure the

§ 158.500

availability of, a reception facility that is capable of receiving all garbage that the master or person who is in charge of a ship desires to discharge, except—

(a) Large quantities of spoiled or damaged cargoes not usually discharged by a ship; or

(b) Garbage from ships not having commercial transactions with that port or terminal.

Subpart E—Port and Terminal Operations

SOURCE: CGD 85-010, 52 FR 7765, Mar. 12, 1987, unless otherwise noted. Redesignated by CGD 88-002, 54 FR 18409, Apr. 28, 1989.

§ 158.500 Draining cargo area and piping systems.

The person in charge shall ensure that each cargo hose and each piping system containing NLS received from each oceangoing ship carrying NLS cargo is not drained back into the ship.

§ 158.520 Following the instruction manual.

The person in charge shall ensure that the instruction manual under § 158.330(b) is followed during the transfer of any NLS.

PART 159—MARINE SANITATION DEVICES

Subpart A—General

Sec.

- 159.1 Purpose.
- 159.3 Definitions.
- 159.4 Incorporation by reference.
- 159.5 Requirements for vessel manufacturers.
- 159.7 Requirements for vessel operators.

Subpart B—Certification Procedures

- 159.11 Purpose.
- 159.12 Regulations for certification of existing devices.
- 159.12a Certification of certain Type III devices.
- 159.14 Application for certification.
- 159.15 Certification.
- 159.16 Authorization to label devices.
- 159.17 Changes to certified devices.
- 159.19 Testing equivalency.

33 CFR Ch. I (7-1-10 Edition)

Subpart C—Design, Construction, and Testing

- 159.51 Purpose and scope.
- 159.53 General requirements.
- 159.55 Identification.
- 159.57 Installation, operation, and maintenance instructions.
- 159.59 Placard.
- 159.61 Vents.
- 159.63 Access to parts.
- 159.65 Chemical level indicator.
- 159.67 Electrical component ratings.
- 159.69 Motor ratings.
- 159.71 Electrical controls and conductors.
- 159.73 Conductors.
- 159.75 Overcurrent protection.
- 159.79 Terminals.
- 159.81 Baffles.
- 159.83 Level indicator.
- 159.85 Sewage removal.
- 159.87 Removal fittings.
- 159.89 Power interruption: Type I and II devices.
- 159.93 Independent supporting.
- 159.95 Safety.
- 159.97 Safety: inspected vessels.
- 159.101 Testing: general.
- 159.103 Vibration test.
- 159.105 Shock test.
- 159.107 Rolling test.
- 159.109 Pressure test.
- 159.111 Pressure and vacuum pulse test.
- 159.115 Temperature range test.
- 159.117 Chemical resistance test.
- 159.119 Operability test; temperature range.
- 159.121 Sewage processing test.
- 159.123 Coliform test: Type I devices.
- 159.125 Visible floating solids: Type I devices.
- 159.126 Coliform test: Type II devices.
- 159.126a Suspended solids test: Type II devices.
- 159.127 Safety coliform count: Recirculating devices.
- 159.129 Safety: Ignition prevention test.
- 159.131 Safety: Incinerating device.

Subpart D—Recognition of Facilities

- 159.201 Recognition of facilities.

Subpart E—Discharge of Effluents in Certain Alaskan Waters by Cruise Vessel Operations

- 159.301 Purpose.
- 159.303 Applicability.
- 159.305 Definitions.
- 159.307 Untreated sewage.
- 159.309 Limitations on discharge of treated sewage or graywater.
- 159.311 Safety exception.
- 159.313 Inspection for compliance and enforcement.
- 159.315 Sewage and graywater discharge record book.