

may require verification by instrument of the levels of illumination. On a horizontal plane 3 feet above the deck the illumination must measure at least:

- (1) 5.0 foot candles at transfer connection points; and
- (2) 1.0 foot candle in transfer operations work areas.

(c) Lighting must be located or shielded so as not to mislead or otherwise interfere with navigation on the adjacent waterways.

[CGD 75-124, 45 FR 7175, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36255, Sept. 4, 1990]

#### § 155.800 Transfer hose.

Hose used to transfer oil or hazardous material must meet the requirements of § 154.500 of this chapter.

[CGD 75-124, 45 FR 7175, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36255, Sept. 4, 1990]

#### § 155.805 Closure devices.

(a) Each end of each transfer hose on board which is not connected for the transfer of oil or hazardous material must be blanked off with butterfly valves, wafer-type resilient seated valves, blank flanges, or other means acceptable to the COTP or OCMI.

(b) New, unused hose is exempt from the requirement in paragraph (a) of this section.

[CGD 75-124, 45 FR 7175, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36255, Sept. 4, 1990]

#### § 155.810 Tank vessel security.

Operators of tank vessels carrying more oil cargo residue than normal in any cargo tank must assign a surveillance person or persons responsible for maintaining standard vessel security.

[USCG-2000-7641, 66 FR 55572, Nov. 2, 2001]

#### § 155.815 Tank vessel integrity.

(a) Except as provided in paragraph (b) of this section, a tank vessel underway or at anchor must have all closure mechanisms on the following openings properly closed:

- (1) Expansion trunk hatches;
- (2) Ullage openings;
- (3) Sounding ports;
- (4) Tank cleaning openings; and

(5) Any other tank vessel openings that maintain the seaworthy condition of the tank vessel and prevent the inadvertent release of oil or hazardous material in the event of a tank vessel accident.

(b) No person may open any of the closure mechanisms in paragraph (a) of this section while the tank vessel is underway or at anchor except when authorized and supervised by a licensed or credentialed officer or the tankerman required by 46 CFR 31.15-5(a).

[CGD 75-124, 45 FR 7175, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36255, Sept. 4, 1990; USCG-2006-24371, 74 FR 11212, Mar. 16, 2009]

#### § 155.820 Records.

The vessel operator shall keep a written record available for inspection by the COTP or OCMI of:

(a) The name of each person currently designated as a person in charge of transfer operations.

(b) The date and result of the most recent test and inspection of each item tested or inspected as required by § 156.170 of this chapter;

(c) The hose information required by § 154.500(e) and (g) of this chapter unless that information is marked on the hose; and

(d) The Declaration of Inspection as required by § 156.150(f) of this chapter.

[CGD 75-124, 45 FR 7175, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36255, Sept. 4, 1990]

### Subpart D—Tank Vessel Response Plans for Oil

SOURCE: CGD 91-034, 61 FR 1081, Jan. 12, 1996, unless otherwise noted.

#### § 155.1010 Purpose.

The purpose of this subpart is to establish requirements for oil spill response plans for certain vessels. The planning criteria in this subpart are intended for use in response plan development and the identification of resources necessary to respond to the oil spill scenarios prescribed during the planning process. The development of a response plan prepares the vessel owner

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or operator and the vessel's crew to respond to an oil spill. The specific criteria for response resources and their arrival times are not performance standards. They are planning criteria based on a set of assumptions that may not exist during an actual oil spill incident.

### § 155.1015 Applicability.

(a) Except as provided in paragraph (c) of this section, this subpart applies to each vessel that is constructed or adapted to carry, or that carries, oil in bulk as cargo or oil cargo residue, and that—

- (1) Is a vessel of the United States;
- (2) Operates on the navigable waters of the United States; or
- (3) Transfers oil in a port or place subject to the jurisdiction of the United States.

(b) This subpart also applies to vessels which engage in oil lightering operations in the marine environment beyond the baseline from which the territorial sea is measured, when the cargo lightered is destined for a port or place subject to the jurisdiction of the United States.

(c) This subpart does not apply to the following types of vessels:

- (1) Public vessels and vessels deemed public vessels under 14 U.S.C. 827.
- (2) Vessels that, although constructed or adapted to carry oil in bulk as cargo or oil cargo residue, are not storing or carrying oil in bulk as cargo or oil cargo residue.
- (3) Dedicated response vessels when conducting response operations.
- (4) Vessels of opportunity when conducting response operations in a response area.
- (5) Offshore supply vessels as defined in 46 U.S.C. 2101.
- (6) Fishing or fishing tender vessels as defined in 46 U.S.C. 2101 of not more than 750 gross tons when engaged only in the fishing industry.
- (7) Foreign flag vessels engaged in innocent passage.

(d) Vessels covered by this subpart that are not operating within the navigable waters or the exclusive economic zone of the United States must meet all requirements of this subpart except for—

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(1) Identifying and ensuring, through contract or other approved means, the availability of response resources including the shore-based spill management team;

(2) Providing the geographic-specific appendices required in §155.1035, 155.1040, or 155.1045, as appropriate; and

(3) Identifying and designating a qualified individual and alternate qualified individual required in §155.1026.

[CGD 91-034, 61 FR 1081, Jan. 12, 1996, as amended by USCG-2000-7641, 66 FR 55572, Nov. 2, 2001]

### § 155.1020 Definitions.

Except as otherwise defined in this section, the definitions in §155.110 apply to this subpart and subparts F and G of this part. For the purposes of this subpart only, the term:

*Adverse weather* means the weather conditions that will be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include, but are not limited to, significant wave height, ice, temperature, weather-related visibility, and currents within the Captain of the Port (COTP) zone in which the systems or equipment are intended to function.

*Animal fat* means a non-petroleum oil, fat, or grease derived from animals and not specifically identified elsewhere in this part.

*Average most probable discharge* means a discharge of the lesser of 50 barrels of oil or 1 percent of the cargo from the vessel during cargo oil transfer operations to or from the vessel.

*Bulk* means any volume of oil carried in an integral tank of the vessel and oil transferred to or from a marine portable tank or independent tank while on board a vessel.

*Captain of the Port (COTP) Zone* means a zone specified in 33 CFR part 3 and, for coastal ports, the seaward extension of that zone to the outer boundary of the exclusive economic zone (EEZ).

*Cargo* means oil that is transported to and off-loaded at a destination by a vessel. It does not include—

- (1) Oil carried in integral tanks, marine portable tanks, or independent