

§ 155.100

AUTHORITY: 33 U.S.C. 1231, 1321(j); 46 U.S.C. 3703; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; Department of Homeland Security Delegation No. 0170.1. Sections 155.100 through 155.130, 150.350 through 155.400, 155.430, 155.440, 155.470, 155.1030(j) and (k), and 155.1065(g) are also issued under 33 U.S.C. 1903(b). Section 155.490 also issued under section 4110(b) of Pub. L. 101-380. Sections 155.1110 through 155.1150 also issued under 33 U.S.C. 2735.

NOTE: Additional requirements for vessels carrying oil or hazardous materials are contained in 46 CFR parts 30 through 40, 150, 151, and 153.

Subpart A—General

SOURCE: CGD 75-124a, 48 FR 45714, Oct. 6, 1983, unless otherwise noted.

§ 155.100 Applicability.

(a) Subject to the exceptions provided for in paragraph (b) and (c) of this section, this part applies to each ship that:

(1) Is operated under the authority of the United States, wherever located; or

(2) Is operated under the authority of a country other than the United States while in the navigable waters of the United States, or while at a port or terminal under the jurisdiction of the United States.

(b) This part does not apply to:

(1) A warship, naval auxiliary, or other ship owned or operated by a country when engaged in non-commercial service; or

(2) Any other ship specifically excluded by MARPOL 73/78.

(c) Section 155.480 applies to each tank vessel with a cargo capacity of 1,000 or more cubic meters (approximately 6,290 barrels), loading oil or oil residue as cargo that is operated under the authority of the United States, wherever located, or operated under the authority of a country other than the United States while in the navigable waters of the United States, or while at a port or terminal under the jurisdiction of the United States.

[CGD 75-124a, 48 FR 45714, Oct. 6, 1983, as amended by CGD 90-071a, 62 FR 48773, Sept. 17, 1997]

§ 155.110 Definitions.

Except as specifically stated in a section, the definitions in part 151 of this

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chapter, except for the word “oil”, and in part 154 of this chapter, apply to this part. The following definition also applies to this part:

Merchant mariner credential or MMC means the credential issued by the Coast Guard under 46 CFR part 10. It combines the individual merchant mariner’s document, license, and certificate of registry enumerated in 46 U.S.C. subtitle II part E as well as the STCW endorsement into a single credential that serves as the mariner’s qualification document, certificate of identification, and certificate of service.

[USCG-2006-24371, 74 FR 11212, Mar. 16, 2009]

§ 155.120 Equivalentents.

(a) For ships required to be surveyed under §151.17 of this chapter, the Commandant may, upon receipt of a written request, allow any fitting, material, appliance or apparatus to be fitted in a ship as an alternative to that required by both MARPOL 73/78 and subpart B of this part if such fitting, material, appliance, or apparatus is at least as effective as that required by subpart B. Substitution of operational methods to control the discharge of oil in place of those design and construction features prescribed by MARPOL 73/78 that are also prescribed by subpart B of this part is not allowed.

(b) Any equivalent to a feature prescribed by MARPOL 73/78 that is authorized for a ship having an IOPP Certificate is noted on that Certificate.

(c) For tank vessels required to have overfill devices installed under parts 155 and 156 of this chapter, the Commandant may, upon receipt of a written request, allow any fitting, material, appliance, or apparatus to be fitted in a tank vessel as an alternative to the required overfill device(s) that are specified in these parts if the proposed alternative device is at least as effective as that required in the regulations.

[CGD 75-124a, 48 FR 45714, Oct. 6, 1983, as amended by CGD 90-071a, 59 FR 53290, Oct. 21, 1994]

§ 155.130 Exemptions.

(a) The Commandant grants an exemption or partial exemption from